



## CITY COUNCIL

### AGENDA

April 23, 2001 – 7:30 P.M.  
Council Chambers – City Hall  
500 West Big Beaver, Troy, Michigan 48084  
(248) 524-3300

#### **CALL TO ORDER** **1**

#### **Invocation & Pledge Of Allegiance – Pastor Tom Barbret–Lutheran Church of the Master** **1**

#### **ROLL CALL** **1**

- A-1 Minutes: [7:30 PM](#) - Regular Meeting of April 9, 2001 and [8:00 PM](#) - Regular Meeting of April 9, 2001 1

#### **PUBLIC HEARINGS** **2**

- C-1 [Proposed Zoning Text Amendment – Numerical Limit on Rooftop Antennas](#) 2

- C-2 [Proposed Rezoning – North Side of Butterfield, West of Crooks – Section 29 – R-1C to RM-2](#) 2

- C-3 [Proposed Rezoning – South Side of Long Lake Road, West of Rochester Road – Section 15 – R-1C to CR-1](#) 3

- C-4 [Request for Commercial Vehicle Appeal – 1855 Boulan](#) 3

#### **CONSENT AGENDA** **5**

- E-1 [Approval of Consent Agenda](#) 5

- E-2 [Standard Purchasing Resolution 1: Award to Low Bidder – Street Trees for Residential Right-of-Way Fall Plantings](#) 5

---

**NOTICE:** People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk (248) 524-3316 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

E-3	Extension of Tentative Preliminary Plat Approval – Clarklift Subdivision – West Side of Austin, North of Maple Road – Section 26	6
E-4	Standard Purchasing Resolution 1: Award to Low Bidder – Remote Camera System	6
E-5	Standard Purchasing Resolution 2: Bid Award – Low Acceptable Bidders Asphalt Paving Materials	6
E-6	Grant Application – Federal Assistance to Firefighters	7
E-7	Standard Purchasing Resolution 1: Award to Low Bidder – Section 3, South of Lovell – Bituminous Overlay, Contract No. 01-6	7
E-8	City of Troy v Harold R. Thomas (Civic Center Project)	7
E-9	Standard Purchasing Resolution No. 1: Award to Low Bidder and Approval of Contract with MDOT for the John R and 14 Mile Road Landscaping and Lighting Enhancement Project, Contract 01-1	8
E-10	Mr. Joseph Wassef (Parcel #88-20-13-429-023)	8
E-11	Proposed Consent Judgment Amendments for Village at Midtown Square (Grand/Sakwa)	9
E-12	Private Agreement for Village at Midtown Square – Project No. 00.964.3	9
E-13	Correction of Resolution – Request for Temporary Sales Trailer – Cedar Ridge Estates Site Condominium	9
E-14	Council Requests	10
E-15	Sale of Long Lake Remanant Parcel Section 9, Part of Lots 20, 21, and 22 – Beaver Hills Subdivision	10
E-16	William Beaumont Hospital – Approval of Issuance of Bonds	10
E-17	Agreements for Widening of Maple Road	11

---

**REGULAR BUSINESS****12**

F-1	Appointments to Boards and Committees: (a) Advisory Committee for Persons with Disabilities; (b) Advisory Committee for Senior Citizens; (c) Board of Zoning Appeals; (d) Brownfield Redevelopment Authority; (e) CATV Advisory Committee; (f) Charter Revision Committee; (g) Downtown Development Authority; (h) Economic Development Corporation; (i) Library Board; (j) Planning Commission; and (k) Traffic Committee	12
F-2	Closed Session	14
F-3	Bid Waiver – Hay Group Annual Update to Salary Structure and Pay Plan for Classified and Exempt Employees	14
F-4	Preliminary Plat-Tentative Approval – Abbotsford Parc Subdivision – South Side of Abbotsford, West of John R – Section 11	15
F-5	Application for Class C License Transfer by Housefield, L.L.C. (Take Five)	15
F-6	Application for Class C License Transfer by Café Sushi, L.L.C.	16
F-7	Grand/Sakwa Consent Judgment Amendments	17
F-8	Champps – Request to Reconsider Action Regarding Liquor License	18
F-9	Champps v City of Troy	19

**COUNCIL COMMENTS/REFERRALS****20****VISITORS****20****REPORTS AND COMMUNICATIONS****20**

G-1	Proposed City of Troy Proclamations:	20
	(a) Proclamation to Honor Dr. Michael Italo Oipari as 2001 Italian American of the Year .....	20
	(b) Proclamation to Honor Dr. Anthony Sanfemio as 2001 Italian American of the Year .....	20
G-2	Minutes – Boards and Committees:	21

(a) Planning Commission – January 23, 2001 .....	21
(b) Planning Commission – February 27, 2001 .....	21
(c) Parks and Recreation Advisory Board – March 8, 2001 .....	21
(d) Planning Commission – March 27, 2001 .....	21
(e) Troy Daze/Draft – March 27, 2001 .....	21
(f) Advisory Committee for Persons with Disabilities/Draft – April 4, 2001 .....	21
(g) Building Code Board of Appeals/Draft – April 4, 2001 .....	21
(h) Library Advisory Board/Draft – April 5, 2001 .....	21
(i) Liquor Advisory Committee/Draft – April 9, 2001 .....	21
(j) Planning Commission/Draft – April 10, 2001 .....	21
(k) Employees' Retirement System Board of Trustees – April 11, 2001 .....	21
 G-3 Department Reports:	 21
(a) March 31, 2001 – Quarterly Financial Report .....	21
(b) 2001 City of Troy - Assessment Roll & Board of Review Report .....	21
 G-4 Announcement of Public Hearings:	 21
(a) Appeal of Dangerous Building Determination – 612 Trombley – Parcel #22-401-006 – Scheduled for May 7, 2001.....	21
 G-5 Proposed Proclamations/Resolutions from Other Organizations:	 21
(a) City of Huntington Woods Urging the Michigan Secretary of State to Support the State's Qualified Voter File (QVF) by Providing the Needed Hardware to All Units of Government.....	21
 G-6 Letters of Appreciation:	 21
(a) Letter from Barbara Stephanie Mellen to Gary A. Shripka and the Police Department Thanking the City of Troy for the Excellent Job They Did in Coordinating the Overflow Parking for the St. Joseph Chaldean Catholic Church Parishioners During Good Friday, Holy Saturday & Easter Sunday.....	21
(b) Letter from Brian G. Loush to Lt. Stephen Perkola Thanking Him, Lynn McDaniel and the Troy Police Department for Selecting Him to Participate in the Citizen's Police Academy Which he Found to be Interesting, Insightful and Enjoyable .....	21
(c) Letter from Police Chief William J. Dwyer – City of Farmington Hills Commending Troy Investigator Jim Mork for His Outstanding Assistance With the Execution of a Residential Search Warrant During an Internet Predator Arrest .....	21
 G-7 Letter from Paul J. Klapproth – Director, Communications – Siemens Automotive Corporation to John Szerlag Announcing the Formation of a Global Joint Venture Between Siemens Automotive and Yazaki Corporation	 21
 G-8 Oakland County "Digi-Pix" Program	 22

---

G-9	Communication from James Savage Requesting that Council Adopt a Resolution Controlling Campaign Financing	22
G-10	International Resources at the Library	22
G-11	Office Depot NACo Contract Pricing	22
G-12	Updates on Stanley Door Building, IKEA and Big Beaver Technology Park	22
G-13	Fees for Senior Programs	22
G-14	Civic Center Site Plan Elements	22
G-15	Conference Center Study	22
G-16	Status Report on the Michigan Youth Museum	22
G-17	Status Report of the Nature Center Project	22



## CALL TO ORDER

**Invocation & Pledge Of Allegiance** – Pastor Tom Barbret–Lutheran Church of the Master

## ROLL CALL

Mayor Matt Pryor  
Robin Beltramini  
Martin F. Howrylak  
Thomas S. Kaszubski  
David A. Lambert  
Anthony N. Pallotta  
Louise E. Schilling

---

**A-1 Minutes: 7:30 PM - Regular Meeting of April 9, 2001 and 8:00 PM - Regular Meeting of April 9, 2001**

Suggested Resolution

Resolution #2001-04-

Moved by

Seconded by

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of April 9, 2001 and 8:00 PM Regular Meeting of April 9, 2001 be approved.

Yes:

No:

## PUBLIC HEARINGS

---

### **C-1 Proposed Zoning Text Amendment – Numerical Limit on Rooftop Antennas**

City Management requests a 5-minute presentation regarding this item.

#### Suggested Resolution

Resolution #2001-04-

Moved by

Seconded by

RESOLVED, That an Ordinance to amend Article XL (General Provisions) of Chapter 39, Zoning of the Code of the City of Troy, primarily to facilitate the placement of small antennas on taller buildings, in accordance with the City Council's policy on communications antenna facilities, is hereby adopted as recommended by City Management and by the Planning Commission.

Yes:

No:

---

### **C-2 Proposed Rezoning – North Side of Butterfield, West of Crooks – Section 29 – R-1C to RM-2**

City Management requests a 5-minute presentation regarding this item.

#### Suggested Resolution

Resolution #2001-04-

Moved by

Seconded by

#### **(a) Proposed Resolution A – As Recommended by City Management and the Planning Commission**

RESOLVED, That the request for the rezoning of a 1-acre lot having 106 feet of frontage on the north side of Butterfield Drive, west of Crooks Road, from R-1C to RM-2 (Multiple-Family-Residential Mid-Rise) is hereby approved, in accordance with the recommendations of City Management and the Planning Commission.

#### **(b) Proposed Resolution B – To Deny Rezoning**

RESOLVED, That the request for the rezoning of a 1-acre lot having 106 feet of frontage on the north side of Butterfield Drive, west of Crooks Road, from R-1C to RM-2 (Multiple-Family-Residential-Mid-Rise) is hereby denied.

Yes:

No:



**C-3 Proposed Rezoning – South Side of Long Lake Road, West of Rochester Road –  
Section 15 – R-1C to CR-1**

City Management requests a 5-minute presentation regarding this item.

Suggested Resolution

Resolution #2001-04-

Moved by

Seconded by

RESOLVED, That a 4.5-acre parcel, having 330 feet of frontage on the south side of Long Lake Road, west of Rochester Road be rezoned from R-1C (One-Family Residential) to CR-1 (One Family Residential-Cluster), as recommended by City Management and by the Planning Commission.

Yes:

No:

---

**C-4 Request for Commercial Vehicle Appeal – 1855 Boulan**Suggested Resolution

Resolution #2001-04-

Moved by

Seconded by

**(a) Proposed Resolution A for Approval**

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.

**C-4 Request for Commercial Vehicle Appeal – 1855 Boulan - Continued**

- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has found that the petitioner has demonstrated the presence of the following condition(s), justifying the granting of a variance: \_\_\_\_\_

\_\_\_\_\_.

NOW, THEREFORE, BE IT RESOLVED, That the request from Cipitan Botezan, 1855 Boulan, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Ford cube van in a residential district is hereby approved for up to two years.

**(b) Proposed Resolution B for Denial**

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has not found that the petitioner has demonstrated the presence of condition(s), justifying the granting of a variance:

NOW, THEREFORE, BE IT RESOLVED, That the request from Cipitan Botezan, 1855 Boulan, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Ford cube van in a residential district is hereby denied.

Yes:

No:

## CONSENT AGENDA

*The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may remove an item from the Consent Agenda and have it considered as a separate item. A member of the audience who wishes to speak in opposition to the recommended action for any given Consent Agenda item may do so with the approval of a majority vote of City Council. Any item so removed from the Consent Agenda shall be considered after other items on the consent business portion of the agenda have been heard. (Rules of Procedure for the City Council, Article 10, as amended April 12, 1999.)*

---

### E-1 Approval of Consent Agenda

#### Suggested Resolution

Resolution #2001-04-

Moved by

Seconded by

RESOLVED, That all items as presented on the Consent Agenda are hereby approved as presented with the exception of Item(s) \_\_\_\_\_, which shall be considered after Consent Agenda (E) items, as printed.

Yes:

No:

---

### E-2 Standard Purchasing Resolution 1: Award to Low Bidder – Street Trees for Residential Right-of-Way Fall Plantings

#### Suggested Resolution

Resolution #2001-04-

RESOLVED, That a three-year contract for the purchase of bare root street trees is hereby awarded to the low bidder, Marine City Nursery, at unit prices contained in the bid tabulation opened March 23, 2001, a copy of which shall be attached to the original Minutes of this meeting at an estimated annual cost of \$40,400.00, to expire December 31, 2003.

BE IT FURTHER RESOLVED, That Alternate A proposal for the cost of street trees plus installation is hereby rejected.

**E-3 Extension of Tentative Preliminary Plat Approval – Clarklift Subdivision – West Side of Austin, North of Maple Road – Section 26**Suggested Resolution

Resolution #2001-04-

RESOLVED, That Tentative Preliminary Plat Approval for the proposed Clarklift Subdivision in Section 26, as originally granted on November 2, 1998, be extended to January 1, 2002.

---

**E-4 Standard Purchasing Resolution 1: Award to Low Bidder – Remote Camera System**Suggested Resolution

Resolution #2001-04-

RESOLVED, That a contract to furnish and install one (1) remote camera system for Council Chambers is hereby awarded to the low bidder, Thalner Electronic Lab at an estimated total cost of \$66,430.88.

BE IT FURTHER RESOLVED, That the award is contingent upon contractor submission of properly executed bid and contract documents, including bonds, insurance certificates and all other specified requirements; and the optional proposals for an extended warranty/maintenance contract and additional purchases for non-listed equipment are hereby rejected.

---

**E-5 Standard Purchasing Resolution 2: Bid Award – Low Acceptable Bidders Asphalt Paving Materials**Suggested Resolution

Resolution #2001-04-

RESOLVED, That a contract to provide for one (1) year requirements of Asphalt Paving Material is hereby awarded to the low acceptable bidders meeting specifications, Midland Contracting Co., Angelo's Asphalt Materials and Barrett Paving Materials Inc. at unit prices contained in the bid tabulation opened March 16, 2001, a copy of which shall be attached to the original Minutes of this meeting at an estimated cost of \$78,730.00.

BE IT FURTHER RESOLVED, That the award is contingent upon contractors submission of properly executed bid and contract documents, including bonds, insurance certificates and all other specified requirements.

**E-6 Grant Application – Federal Assistance to Firefighters**Suggested Resolution

Resolution #2001-04-

RESOLVED, That the City Council of the City of Troy does hereby authorize the Troy Fire Department to seek grants for firefighting equipment and fire prevention through the Federal Assistance to Firefighters Program during the application period from April 1, 2001 to May 2, 2001 in the amount of \$126,000.00; and

BE IT FURTHER RESOLVED, That if the grants are approved, the expenditure of matching City funds in the amount of \$37,800.00 are hereby authorized.

---

**E-7 Standard Purchasing Resolution 1: Award to Low Bidder – Section 3, South of Lovell – Bituminous Overlay, Contract No. 01-6**Suggested Resolution

Resolution #2001-04-

RESOLVED, That Contract No. 01-6 – Section 3, South of Lovell – Bituminous Overlays, on Lesdale, Hurst, Booth Ottawa, Donaldson, Marengo, DeEtta, Hannah, and Norton streets be awarded to Ace Asphalt & Paving Co., 115 S. Averill Ave., Flint, MI 48506 at an estimated total cost of \$298,895.00.

BE IT FURTHER RESOLVED, That the award is contingent upon submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required that could not be foreseen, such additional work is authorized in an amount not to exceed 10% of the total project cost.

---

**E-8 City of Troy v Harold R. Thomas (Civic Center Project)**Suggested Resolution

Resolution #2001-04-

WHEREAS, The City of Troy has filed a lawsuit to acquire the property of Harold R. Thomas, located at 11 Town Center Drive, Troy, Michigan, and

WHEREAS, A proposed settlement agreement has been negotiated between the parties; and

WHEREAS, City Council has determined that it is in the best interest of the City of Troy to settle this matter absent litigation;

NOW, THEREFORE, BE IT RESOLVED, That the Mayor and City Clerk are authorized to execute the attached Settlement Agreement and Release, and the City Manager is further authorized to initiate payment of the agreed sums in final settlement of this matter.

**E-9    Standard Purchasing Resolution No. 1: Award to Low Bidder and Approval of Contract with MDOT for the John R and 14 Mile Road Landscaping and Lighting Enhancement Project, Contract 01-1**

Suggested Resolution  
Resolution #2001-04-

**(a)    Approval of Contract between the City of Troy and Michigan Department of Transportation**

RESOLVED, That the Contract between the Michigan Department of Transportation and the City of Troy for the John R and 14 Mile Road Landscaping and Lighting Enhancement Project is hereby approved and the Mayor and City Clerk are authorized to execute the agreement.

**(b)    Award of Contract to Peter A. Basile Co.**

RESOLVED, That Contract No. 01-1 for the John R and 14 Mile Landscaping and Lighting project be awarded to Peter A. Basile Co., 13000 Newburgh, Livonia, Michigan 48253 at an estimated total cost of \$905,330.55.

BE IT FURTHER RESOLVED, That the award is contingent upon submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required that could not be foreseen, such additional work is authorized in an amount not to exceed 10% of the total project cost.

BE IT FINALLY RESOLVED, That the Mayor and City Clerk are authorized to execute the contract with Peter A. Basile Co., subject to the approval of the contract with the Michigan Department of Transportation by the Michigan Transportation Commission.

---

**E-10   Mr. Joseph Wassef (Parcel #88-20-13-429-023)**

Suggested Resolution  
Resolution #2001-04-

WHEREAS, During the plat approval process of Wattles Point a remnant parcel was left out of the subdivision; and

WHEREAS, The remnant parcel known as Parcel #88-20-13-429-023 is an unbuildable lot; and

WHEREAS, Mr. Wassef has approached the City with an offer to sell remnant Parcel #88-20-13-429-023.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy authorizes the purchase of Parcel #88-20-13-429-023 located south of Long Lake and west of Dequindre in the amount of \$9,900.00 from Joseph Wassef.

**E-11 Proposed Consent Judgment Amendments for Village at Midtown Square (Grand/Sakwa)**

Suggested Resolution  
~~Resolution #2001-04-~~

**Note: Item removed Administratively.  
Duplicate Item.  
Refer to Regular Business Item F-7**

~~RESOLVED, That the Troy City Council approve modifications to the First Amendment to the First Amended and Restated Consent Judgment between Grand/Sakwa Properties and the City of Troy which allows for the following:~~

- ~~1) The average point of roof lines in the residential development area to be increased by three feet eight inches to allow the developer to construct additional residential units; and~~
- ~~2) A delay until the year 2002 for the City of Troy to construct Maple Road improvements.~~

---

**E-12 Private Agreement for Village at Midtown Square – Project No. 00.964.3**

Suggested Resolution  
~~Resolution #2001-04-~~

RESOLVED, That the contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Grand/Sakwa Residential New Holland, L.L.C., d/b/a/ Midtown Square Associates, L.L.C. is hereby approved for the installation of sanitary sewer, storm sewer, water main paving, sidewalks, mass grading and soil erosion on the site and in the adjacent right-of-way, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original Minutes of this meeting.

---

**E-13 Correction of Resolution – Request for Temporary Sales Trailer – Cedar Ridge Estates Site Condominium**

Suggested Resolution  
~~Resolution #2001-04-~~

RESOLVED, That Resolution #2001-04-188-E-23 is hereby rescinded, and

BE IT FURTHER RESOLVED, That the request from Tadian Homes, to place and occupy a sales trailer during construction of Cedar Ridge Estates Site Condominium, is hereby approved for a six month period in accordance with Chapter 47, House Trailers and Trailer Courts, Section 6.41 (2), of the Code of the City of Troy.

**E-14 Council Requests**Suggested Resolution

Resolution #2001-04-

RESOLVED, That the following equipment and services be authorized for City Council use upon request: scanner with one touch scan, fax and copy ability; CD-RW option for laptops and recovery of cost for cell phone usage.

---

**E-15 Sale of Long Lake Remnant Parcel Section 9, Part of Lots 20, 21, and 22 – Beaver Hills Subdivision**Suggested Resolution

Resolution #2001-04-

RESOLVED, That the City Council of the City of Troy hereby approve the sale of the City remnant parcel which is described as: the West ½ of Lot 20, except the South 67 feet, and lots 21 & 22, except the South 67 feet, all in Beaver Hills Subdivision, being part of the Southeast ¼ of Section 9, T.2.N.R.11.E. City of Troy, Oakland County, Michigan, Sidwell #88-20-09-453-021, for \$29,000.00, the appraised value to Harrington Park Development L.L.C., as outlined in the Offer to Purchase, plus closing costs; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are authorized to execute the Warranty Deed with a copy of the Offer to Purchase attached, on behalf of the City, a copy of which shall be attached to and made a part of the original Minutes of this meeting.

---

**E-16 William Beaumont Hospital – Approval of Issuance of Bonds**Suggested Resolution

Resolution #2001-04-

WHEREAS, The City of Royal Oak Hospital Finance Authority (the “Authority”) proposes to make a loan to William Beaumont Hospital (the “Hospital”), to be used by the Hospital to finance the construction, renovation and equipping of certain hospital facilities in the City of Troy, Michigan; and

WHEREAS, The Authority intends to issue bonds on behalf of the Hospital (the “Bonds”) in the principal amount of not to exceed \$195,000,000.00 to provide funds with which to make the loan to the Hospital; and

WHEREAS, The Bonds will be limited obligations of the Authority and will not constitute general obligations or debt of the City of Troy, the City of Royal Oak, the County of Oakland, the State of Michigan or any political subdivision thereof; and



**E-16 William Beaumont Hospital – Approval of Issuance of Bonds - Continued**

WHEREAS, On April 16, 2001, the Authority held a public hearing after notice was published as provided in, and in satisfaction of the applicable public hearing requirements of, the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, A record of public hearing has been filed with the City Clerk; and

WHEREAS, The Authority has requested that this City Council approve the issuance of the Bonds; and

WHEREAS, The Troy City Council desires to express its approval of the issuance of the Bonds by the Authority.

NOW , THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF TROY, as follows:

- a. The City Council of the City of Troy, Michigan, hereby approves the issuance, sale and delivery of not to exceed \$195,000,000.00 in aggregate principal amount of the Bonds. This approval is made solely for the purpose of fulfilling the public approval requirements of the Internal Revenue Code.
- b. The above referenced bonds shall not constitute or be an obligation or debt of the City of Troy.
- c. The City Clerk is hereby directed to provide three (3) certified copies of this resolution to the Secretary of the City of Royal Oak Hospital Finance Authority.

---

**E-17 Agreements for Widening of Maple Road**Suggested Resolution

Resolution #2001-04-

WHEREAS, The City of Troy and the City of Birmingham have committed to a joint road construction for the widening of Maple Road from South Eton Street to Coolidge Road; and

WHEREAS, Proposed agreements for the preliminary engineering, right of way acquisition, and construction have been negotiated between the City of Birmingham and the City of Troy, and are attached; and

WHEREAS, City Council has determined that it is in the best interest of the City of Troy to enter into these agreements;

NOW, THEREFORE, BE IT RESOLVED, That the Mayor and City Clerk are authorized to execute the Agreement for the Preliminary Engineering, the Agreement for Right of Way Acquisition, and the Agreement for the Construction for the Widening of Maple Road, between Coolidge and Eton, subject to minor modifications from the City Attorney.

## REGULAR BUSINESS

*Persons interested in addressing City Council on items, which appear on the printed Agenda, may do so at the time the item is discussed. For those addressing City Council, time may be limited to not more than twice nor longer than five (5) minutes on any question, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 12, as amended April 12, 1999. Persons interested in addressing City Council on items, which are not on the printed Agenda, may do so under the last item of the Regular Business (F) Section.*

---

**F-1 Appointments to Boards and Committees:** (a) Advisory Committee for Persons with Disabilities; (b) Advisory Committee for Senior Citizens; (c) Board of Zoning Appeals; (d) Brownfield Redevelopment Authority; (e) CATV Advisory Committee; (f) Charter Revision Committee; (g) Downtown Development Authority; (h) Economic Development Corporation; (i) Library Board; (j) Planning Commission; and (k) Traffic Committee

Suggested Resolution

Resolution #2001-04-

Moved by

Seconded by

RESOLVED, That the following persons are hereby appointed by the City Council to serve on the Boards and Committees as indicated:

(a) Advisory Committee for Persons with Disabilities Council Appointment

\_\_\_\_\_ Term Expires 11-01-2003

\_\_\_\_\_ Alternate Term Expires 11-01-2003

\_\_\_\_\_ Alternate Term Expires 11-01-2003

(b) Advisory Committee for Senior Citizens Council Appointment

\_\_\_\_\_ Vacant Term Expires 04-30-2002

\_\_\_\_\_ Term Expires 04-30-2004

\_\_\_\_\_ Term Expires 04-30-2004

\_\_\_\_\_ Term Expires 04-30-2004

**F-1 Appointments to Boards and Committees - Continued**

(c) Board of Zoning Appeals

Council Appointment

\_\_\_\_\_ Vacant Term Expires 04-30-2002

\_\_\_\_\_ Term Expires 04-30-2004

\_\_\_\_\_ Term Expires 04-30-2004

(d) Brownfield Redevelopment Authority

Mayor with Council Approval

\_\_\_\_\_ Vacant Term Expires 04-30-2003

\_\_\_\_\_ Term Expires 04-30-2004

\_\_\_\_\_ Term Expires 04-30-2004

(e) CATV Advisory Committee

Council Appointment

\_\_\_\_\_ Term Expires 02-28-2004

(f) Charter Revision Committee

Council Appointment

\_\_\_\_\_ Term Expires 04-30-2004

\_\_\_\_\_ Term Expires 04-30-2004

(g) Downtown Development Authority**Note: Mayor is appointed to serve on DDA as the representative of the City.**Matt Pryor \_\_\_\_\_ Term Expires 09-30-2002(h) Economic Development Corporation

Mayor with Council Approval

\_\_\_\_\_ Term Expires 04-30-2007

(i) Library Board

Council Appointment

\_\_\_\_\_ Term Expires 04-30-2004

\_\_\_\_\_ Term Expires 04-30-2004

**F-1 Appointments to Boards and Committees - Continued**(j) Planning Commission

Mayor with Council Approval

\_\_\_\_ Vacant Term Expires 12-31-2002

(k) Traffic Committee

Council Appointment

\_\_\_\_ Vacant Term Expires 12-31-2002

Yes:

No:

---

**F-2 Closed Session**Suggested Resolution

Resolution #2001-04-

Moved by

Seconded by

RESOLVED, That the City Council of the City of Troy shall meet in Closed Session as permitted by State Statute MCLA 15.268, Sections (a) and (d) , after adjournment of this meeting.

Yes:

No:

---

**F-3 Bid Waiver – Hay Group Annual Update to Salary Structure and Pay Plan for Classified and Exempt Employees**Suggested Resolution

Resolution #2001-04-

Moved by

Seconded by

WHEREAS, The Hay Group has been providing Classification and Compensation consulting for City of Troy Classified and Exempt employees since 1998; and

WHEREAS, The Hay Group has been retained to provide Pay Plan administration services; and

WHEREAS, It is desirable to continue to support the Hay method of job evaluation and pay structure originally implemented in 1999;

**F-3 Bid Waiver – Hay Group Annual Update to Salary Structure and Pay Plan for Classified and Exempt Employees - Continued**

NOW, THEREFORE, BE IT RESOLVED, That formal bidding procedures are hereby waived and the Hay Group is retained to conduct the 2001 annual market surveys and pay plan update at an estimated cost of \$15,000.00.

Yes:

No:

---

**F-4 Preliminary Plat-Tentative Approval – Abbotsford Parc Subdivision – South Side of Abbotsford, West of John R – Section 11**

Suggested Resolution

Resolution #2001-04-

Moved by

Seconded by

RESOLVED, That Tentative approval is hereby granted to the Preliminary Plat of Abbotsford Parc Subdivision, on the south side of Abbotsford, west of John R in Section 11, as recommended by City Management and by the Planning Commission.

Yes:

No:

---

**F-5 Application for Class C License Transfer by Housefield, L.L.C. (Take Five)**

A copy of the Liquor Advisory Committee Minutes is located under Agenda Item G-2.

Suggested Resolution

Resolution #2001-04-

Moved by

Seconded by

**(a) License Transfer**

RESOLVED, That the request from HOUSEFIELD, L.L.C., to transfer ownership of 1999 Class C licensed business, located in escrow at 28333 Grand River, Farmington Hills, MI 48336, Oakland County, from BLAKENEY'S RANCH HOUSE, INC.; and transfer location (governmental unit) (MCL 436.1531 (1)) to 1941 W. Maple, Troy, MI 48084, Oakland County [MLCC REF #99351]; be considered for approval.

It is the consensus of this legislative body that the application be recommended for issuance.

Yes:

No:

**F-5 Application for Class C License Transfer by Housefield, L.L.C. (Take Five) - Continued**

**(b) Agreement**

Suggested Resolution

Resolution #2001-04-

Moved by

Seconded by

WHEREAS, The City Council of the City of Troy deems it necessary to enter agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby approves an agreement with HOUSEFIELD, L.L.C., which shall become effective upon approval of the transfer of ownership of 1999 Class C licensed business, located in escrow at 28333 Grand River, Farmington Hills, MI 48336, Oakland County, from BLAKENEY'S RANCH HOUSE, INC.; and transfer location (governmental unit) (MCL 436.1531 (1)) to 1941 W. Maple, Troy, MI 48084, Oakland County; and the Mayor and City Clerk are authorized to execute the document, a copy of which shall be attached to the original Minutes of this meeting.

Yes:

No:

---

**F-6    Application for Class C License Transfer by Café Sushi, L.L.C.**

A copy of the Liquor Advisory Committee Minutes is located under Agenda Item G-2.

Suggested Resolution

Resolution #2001-04-

Moved by

Seconded by

**(a)    License Transfer**

RESOLVED, That the request from CAFÉ SUSHI, L.L.C., to transfer ownership of 1998 Class C licensed business, located in escrow at 1536 Crooks, Clawson, MI 48017, Oakland County, from ROY'S LOUNGE, INC.; and transfer location (governmental unit) (MCL 436.1531 (1)) to 5D, 1933 W. Maple Troy, MI 48084, Oakland County [MLCC REF #93228]; be considered for approval.

It is the consensus of this legislative body that the application be recommended for issuance.

Yes:

No:

**F-6    Application for Class C License Transfer by Café Sushi, L.L.C. - Continued****(b)    Agreement**Suggested Resolution

Resolution #2001-04-

Moved by

Seconded by

WHEREAS, The City Council of the City of Troy deems it necessary to enter agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby approves an agreement with CAFÉ SUSHI, L.L.C., which shall become effective upon approval of the transfer of ownership of 1998 Class C licensed business, located in escrow at 1536 Crooks, Clawson, MI 48017, Oakland County, from ROY'S LOUNGE, INC.; and transfer location (governmental unit) (MCL 436.1531 (1)) to 5-D, 1933 W. Maple, Troy, MI 48084, Oakland County; and the Mayor and City Clerk are authorized to execute the document, a copy of which shall be attached to the original Minutes of this meeting.

Yes:

No:

---

### **F-7 Grand/Sakwa Consent Judgment Amendments**

#### Suggested Resolution

Resolution #2001-04-

Moved by

Seconded by

RESOLVED, That the First Amendment to the First Amended and Restated Consent Judgment between the City of Troy and Grand Sakwa is hereby approved, and the City Attorney is authorized to execute the Consent Judgment, which shall be attached to the original Minutes of this meeting.

Yes:

No:

---

**F-8 Champps – Request to Reconsider Action Regarding Liquor License**Suggested Resolution

Resolution #2001-04-

Moved by

Seconded by

**(a) Proposed Resolution A to Reconsider and Rescind**

WHEREAS, On February 26, 2001, the Troy City Council, after holding a public hearing, objected to the automatic renewal of the Class C on premises liquor license of Champps Americana, based on three uncontested violations of liquor laws; and

WHEREAS, Champps Americana has subsequently demonstrated that it has already implemented significant measures that are designed to prohibit further violations of the liquor laws, and furthermore that additional measures will continue to occur at the licensed establishment; which include but are not limited to the elimination of Happy Hour, the mandatory TIPS/TAMS training of all employees prior to being allowed to serve alcohol, the reduction of hours of operation, and the reduction of inventory of alcohol with a high proof content; and

WHEREAS, The City Council for the City of Troy is willing to grant the request of Champps Americana to continue in operation, and allow the opportunity to see if these new measures will be successful in preventing violations of the liquor laws;

NOW, THEREFORE, IT IS HEREBY RESOLVED, That the City Council of the City of Troy has reconsidered the earlier objections to the automatic renewal of the liquor license of Champps Americana, and now rescinds the earlier objection to automatic renewal, which was passed on February 26, 2001; and

BE IT FURTHER RESOLVED, That a draft copy of this Resolution shall be immediately forwarded to the Michigan Liquor Control Commission, with the original copy of the Resolution to be forwarded after the minutes are officially approved by the Troy City Council.

**(b) Proposed Resolution to Reconsider and Affirm Earlier Action**

WHEREAS, The City of Troy has received a request to reconsider the temporary objection to the automatic renewal of the Class C on premises liquor license of Champps Americana; and

WHEREAS, The City of Troy has determined to reconsider the previous temporary objection, but has decided that affirming the February 26, 2001 action is in the best interest of the City of Troy;

NOW, THEREFORE, IT IS HEREBY RESOLVED, That the request to reconsider the temporary objection to the automatic renewal of the Class C on premises liquor license of Champps Americana is hereby granted.

---

**F-8 Champps – Request to Reconsider Action Regarding Liquor License - Continued**



BE IT FURTHER RESOLVED, That the February 26, 2001 objection to the automatic renewal of the Class C on premises liquor license for Champps Americana is hereby affirmed.

BE IT FINALLY RESOLVED, That the Troy City Council will revisit the objection to the renewal of the Class C on premises liquor license on May 21, 2001 at the Regular Business meeting.

**(c) Proposed Resolution to Deny Reconsideration**

WHEREAS, The City of Troy has received a request to reconsider the temporary objection to the automatic renewal of the Class C on premises liquor license of Champps Americana, and

WHEREAS, The City of Troy has determined that reconsideration of the temporary objection is not in the best interest of the City of Troy;

NOW, THEREFORE, IT IS HEREBY RESOLVED, That the request to reconsider the temporary objection to the automatic renewal of the Class C on premises liquor license of Champps Americana is hereby denied.

BE IT FURTHER RESOLVED, That the Troy City Council will revisit the objection to the renewal of the Class C on premises liquor license on May 21, 2001 at the Regular Business meeting.

Yes:

No:

---

**F-9 Champps v City of Troy**

Suggested Resolution

Resolution #2001-04-

Moved by

Seconded by

RESOLVED, That the City Attorney is hereby authorized and directed to represent the City of Troy in any and all claims and damages in the matter of Champps Operating Corporation v. The City of Troy and the Michigan Liquor Control Commission, and to retain any necessary expert witnesses and outside legal counsel to adequately represent the City.

Yes:

No:

**COUNCIL COMMENTS/REFERRALS****VISITORS**

Any person not a member of the Council may address the Council with the permission of the Mayor, after clearly stating the nature of his/her inquiry. Any such matter may be deferred to another time or referred for study and recommendation upon the request of any one Council Member except that by a majority vote of the Council Members elect, said matter may be acted upon immediately. The Mayor may require that such inquiries or comments be heard at such time as the related subject may appear on the prepared Agenda. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members elect. (Rules of Procedure for the City Council, Article 12, as amended April 12, 1999.)

**REPORTS AND COMMUNICATIONS**

---

**G-1 Proposed City of Troy Proclamations:**

Resolution #2001-04-

Moved by

Seconded by

RESOLVED, That the following City of Troy Proclamations, be approved:

- (a) Proclamation to Honor Dr. Michael Italo Oipari as 2001 Italian American of the Year
- (b) Proclamation to Honor Dr. Anthony Sanfemio as 2001 Italian American of the Year
- (c) Proclamation to Celebrate the Italian Study Group of Troy's 27th Annual Festa Italiana

Yes:

No:

---

**G-2 Minutes – Boards and Committees:**

- (a) Planning Commission – January 23, 2001
- (b) Planning Commission – February 27, 2001
- (c) Parks and Recreation Advisory Board – March 8, 2001
- (d) Planning Commission – March 27, 2001
- (e) Troy Daze/Draft – March 27, 2001
- (f) Advisory Committee for Persons with Disabilities/Draft – April 4, 2001
- (g) Building Code Board of Appeals/Draft – April 4, 2001
- (h) Library Advisory Board/Draft – April 5, 2001
- (i) Liquor Advisory Committee/Draft – April 9, 2001
- (j) Planning Commission/Draft – April 10, 2001
- (k) Employees' Retirement System Board of Trustees – April 11, 2001

---

**G-3 Department Reports:**

- (a) March 31, 2001 – Quarterly Financial Report
- (b) 2001 City of Troy - Assessment Roll & Board of Review Report

---

**G-4 Announcement of Public Hearings:**

- (a) Appeal of Dangerous Building Determination – 612 Trombley – Parcel #22-401-006 – Scheduled for May 7, 2001

---

**G-5 Proposed Proclamations/Resolutions from Other Organizations:**

- (a) City of Huntington Woods Urging the Michigan Secretary of State to Support the State's Qualified Voter File (QVF) by Providing the Needed Hardware to All Units of Government

---

**G-6 Letters of Appreciation:**

- (a) Letter from Barbara Stephanie Mellen to Gary A. Shripka and the Police Department Thanking the City of Troy for the Excellent Job They Did in Coordinating the Overflow Parking for the St. Joseph Chaldean Catholic Church Parishioners During Good Friday, Holy Saturday & Easter Sunday
- (b) Letter from Brian G. Loush to Lt. Stephen Perkola Thanking Him, Lynn McDaniel and the Troy Police Department for Selecting Him to Participate in the Citizen's Police Academy Which he Found to be Interesting, Insightful and Enjoyable
- (c) Letter from Police Chief William J. Dwyer – City of Farmington Hills Commending Troy Investigator Jim Mork for His Outstanding Assistance With the Execution of a Residential Search Warrant During an Internet Predator Arrest

---

**G-7 Letter from Paul J. Klapproth – Director, Communications – Siemens Automotive Corporation to John Szerlag Announcing the Formation of a Global Joint Venture Between Siemens Automotive and Yazaki Corporation**

---

---

**G-8 Oakland County “Digi-Pix” Program**

---

**G-9 Communication from James Savage Requesting that Council Adopt a Resolution Controlling Campaign Financing**

---

**G-10 International Resources at the Library**

---

**G-11 Office Depot NACo Contract Pricing**

---

**G-12 Updates on Stanley Door Building, IKEA and Big Beaver Technology Park**

---

**G-13 Fees for Senior Programs**

---

**G-14 Civic Center Site Plan Elements**

---

**G-15 Conference Center Study**

---

**G-16 Status Report on the Michigan Youth Museum**

---

**G-17 Status Report of the Nature Center Project**

Respectfully submitted,

John Szerlag, City Manager

A Regular Meeting of the Troy City Council was held Monday, April 9, 2001, at City Hall, 500 W. Big Beaver Road. Mayor Jeanne M. Stine called the Meeting to order at 7:28 PM.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The Invocation was given by Pastor Doug Schmidt, Troy Baptist Church, and the Pledge of Allegiance to the Flag was given.

**ROLL CALL**

**PRESENT:** Mayor Jeanne M. Stine  
Martin F. Howrylak  
Thomas S. Kaszubski  
Anthony N. Pallotta  
Louise E. Schilling  
John R. Stevens

---

**A-1 Minutes: Regular Meeting of March 19, 2001, Study Session of March 19, 2001 and Special Meeting of March 29, 2001**

Resolution #2001-04-178  
Moved by Kaszubski  
Seconded by Schilling

RESOLVED, That the Minutes of the Regular Meeting of March 19, 2001, Study Session of March 19, 2001 and Special Meeting of March 29, 2001 be approved as submitted.

Yes: All-6

---

**A-2 Presentation: (a) Proclamation - Fair Housing Month; (b) Proclamation - Remembering The Past For The Sake of The Future**

No presentations were given.

**CARRY-OVER ITEMS**

---

**B-1 Confirmation of Appointments to Historical Commission and Historic District Commission**

Resolution #2001-04-179  
Moved by Pallotta  
Seconded by Schilling

RESOLVED, That the following persons are hereby appointed by the City Council to serve on the Boards and Committees as indicated:

**B-1 Confirmation of Appointments to Historical Commission and Historic District Commission - Continued**

Roger Kaniarz to Historical Commission with a term expiring on 07-31-2002  
Marjorie A. Biglin to Historic District Commission with a term expiring on 03-01-2004  
William G. Martin to Historic District Commission with a term expiring on 03-01-2004

Yes: All-6

**POSTPONED ITEMS**

---

**D-1 Transfer of 60-Foot Wide Road Parcel to Troy School District – Section 14 – North Side of Wattles, West of John R – Joint Drive Agreement Between Troy School District and St. Petka’s Church**

Resolution #2001-04-180  
Moved by Pallotta  
Seconded by Schilling

WHEREAS, The 60-foot wide parcel deeded to the City of Troy, for the amount of \$1.00, for the purpose of accessing the parcel of land being developed by St. Petka Church, can best be used as a joint drive by St. Petka Church and Athens High School.

NOW, THEREFORE BE IT RESOLVED, That the City of Troy shall deed the 60-foot parcel to the Troy School District for \$1.00. The parcel is described as the west 60-feet of Lot 10, Supervisors Plat No. 18, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan, as recorded in Liber 6, Page 48 of Plats, Oakland County Records.

Yes: All-6

---

**D-2 Employee Lounge and West Entrance Renovation – Request for Extension****Resolution To Amend**

Resolution #2001-04-181  
Moved by Pallotta  
Seconded by Kaszubski

RESOLVED, That the resolution be amended to include “plus an amount not to exceed 10% for the Kryptonite vinyl fabric.”

Yes: All-6

---

**D-2 Employee Lounge and West Entrance Renovation – Request for Extension - Continued**

**Vote on Amended Resolution**

Resolution #2001-04-182

Moved by Pallotta

Seconded by Kaszubski

RESOLVED, The City staff is authorized to renovate the Employee Lounge and West Entrance of City Hall at an estimated cost of \$15,350.00 in accordance with Appendix C, Detailed Cost Estimates plus an amount not to exceed 10% for the Kryptonite vinyl fabric.

Yes: All-6

**REPORTS AND COMMUNICATIONS**

---

**G-1 City of Troy Proclamations:**

Resolution #2001-04-183

Moved by Pallotta

Seconded by Kaszubski

RESOLVED, That the following City of Troy Proclamations, be approved:

- (a) Fair Housing Month – April, 2001
- (b) Remembering the Past for the Sake of the Future – Sunday, April 15-22, 2001

Yes: All-6

---

**G-2 Receive the Minutes of the Board of Canvassers – April 3, 2001**

Resolution #2001-04-184

Moved by Pallotta

Seconded by Howrylak

RESOLVED, That the Minutes of the Board of Canvassers Meeting of April 3, 2001 be received.

Yes: All-6

---

**Receive and Accept Resignations of Robin Beltramini and Gary R. Lepp**

Resolution #2001-04-185

Moved by Pallotta  
Seconded by Kaszubski

RESOLVED, That the letters of resignation submitted by Robin Beltramini from the Planning Commission and Gary R. Lepp from the Brownfield Redevelopment Authority were received and accepted effective April 9, 2001.

Yes: All-6

The meeting adjourned at 8:01 PM.

---

Jeanne M. Stine, Mayor

---

Tonni L. Bartholomew, City Clerk



A Regular Meeting of the Troy City Council was held Monday, April 9, 2001, at City Hall, 500 W. Big Beaver Road. Mayor Pro Tem Pallotta called the Meeting to order at 8:15 P.M.

---

**A-1    2000-2001 City Council Convenes: (a) Installation of New Members; (b) Adoption of Rules of Procedure; (c) Appointment of Mayor ProTem**

**(a)    Installation of New Members**

Newly elected Mayor Matt Pryor, and Council Members Robin E. Beltramini and David A. Lambert were administered the Oath of Office.

**ROLL CALL**

**PRESENT:** Mayor Matt Pryor  
Robin E. Beltramini  
Martin F. Howrylak  
Thomas S. Kaszubski  
David A. Lambert  
Anthony N. Pallotta  
Louise E. Schilling

**(b)    Adoption of Rules of Procedure**

Resolution #2001-04-186  
Moved by Kaszubski  
Seconded by Pallotta

RESOLVED, That the Rules of Procedure of the City Council of the City of Troy are hereby adopted as recorded by the City Clerk in the Minutes of this meeting.

Yes: All-7

**(c)    Appointment of Mayor Pro-Tem**

Council's Rules of Procedure address the Appointment of Mayor Pro-Tem as follows:

**1.    Appointment Of Mayor Pro-Tem**

Resolution #2001-04-187  
Moved by Pallotta  
Seconded by Schilling

RESOLVED, That Thomas Kaszubski is hereby appointed to serve as Mayor Pro-Tem for the 2001-2002 City Council of the City of Troy.

Yes: All-7

**A-2 Presentation:** (a) Government Finance Officers Association - Distinguished Budget Presentation Award - Tim Soave, GFOA State Representative and Chief of Fiscal Services for Oakland County

Tim Soave recognized the City of Troy with the Distinguished Budget Presentation Award for the preparation of the city's 2001-2002 budget document.

**RECESS 8:55 PM until 9:12 PM**

## **CONSENT AGENDA**

---

### **E-1 Approval of Consent Agenda**

Resolution #2001-04-188

Moved by Pallotta

Seconded by Kaszubski

RESOLVED, That all items as presented on the Consent Agenda are hereby approved as presented with the exception of Items E-5 and E-28, which shall be considered after Consent Agenda (E) items, as printed.

Yes: All-7

---

### **E-2 2001-2002 Budget (a) Establish Public Hearing, (b) Establish Dates for Budget Study Sessions**

A copy of the 2001-2002 Budget was distributed to City Council.

#### **(a) Establish Public Hearing**

Resolution #2001-04-188-E-2a

RESOLVED, That a Public Hearing is hereby established for May 21, 2001 to consider the approval of the 2001-2002 Budget for the City of Troy.

#### **(b) Establish Dates for Budget Study Sessions**

Resolution #2001-04-188-E-2b

RESOLVED, That Budget Study Sessions of the Troy City Council are hereby established for Tuesday, May 1, 2001, Tuesday, May 8, 2001 and wrap-up on Tuesday, May 15, 2001, at 7:00 PM in the Lower Level Conference Room at City Hall.

---

### **E-3 Standard Purchasing Resolution 1: Award To Low Bidder Liquid-Calcium Chloride**

Resolution #2001-04-188-E-3

RESOLVED, That the contract to provide one-year requirements of liquid calcium chloride with an option to renew for one additional year is hereby awarded to the low bidder, Pollard Highway Products Inc., at unit prices contained in the bid tabulation opened March 9, 2001, a copy of which shall be attached to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That the award is contingent upon contractor submission of properly executed bid and contract documents, including bonds, insurance certificates and all other specified requirements.

---

**E-4 Approval to Pay Additional Compensation for a Tree – 4257 Livernois – Parcel 8-W – Livernois Widening – Joseph L. and Patricia Fakes**

Resolution #2001-04-188-E-4

RESOLVED, That the City Manager or his designee is authorized to pay the appraised value of \$1,406.72 as compensation to Joseph L. and Patricia Fakes, for a tree which was cut down and located at 4257 Livernois Road, Parcel 8-W, Livernois Widening Project 95.201.5

---

**E-6 Standard Purchasing Resolution 3: Exercise Renewal Option – Mobile Communications Contract Services**

Resolution #2001-04-188-E-6

WHEREAS, On March 13, 1995, a five-year contract with an option to renew for two additional years to provide labor and replacement parts for radio and emergency warning equipment maintenance, repair and installation was awarded to Wireless Resources, Inc. (formerly Mobile Communications Service) (Resolution #95-252); and

WHEREAS, Wireless Resources, Inc. agreed to exercise the first one-year option to renew the contract and Troy City Council approved the renewal (Resolution #2000-99-E-3b); and

WHEREAS, Wireless Resources, Inc. has again agreed to exercise the second one-year option to renew under the same prices, terms, and conditions;

NOW, THEREFORE, BE IT RESOLVED, That the final option to renew the contract is hereby exercised with Wireless Resources, Inc. to provide labor and replacement parts for radio and emergency warning equipment maintenance, repair and installation under the same contract prices, terms and conditions expiring June 30, 2002.

---

**E-7 Standard Purchasing Resolution 4: National Cooperative Purchasing Program (NACo) – Industrial/Commercial Products, Equipment, Supplies and Related Services**

Resolution #2001-04-188-E-7

RESOLVED, That a three-year contract to provide for Industrial/Commercial Products, Equipment, Supplies and Related Services to the City of Troy and participating Tri-County Purchasing Cooperative Members from the best value bidders, Graybar Electric Co. and Grainger Industrial Supply are hereby approved through a "piggyback" addendum with Los Angeles County and the National Cooperative Purchasing Program Contract #57128/57141 under the following discount structure to commence on the date of award and expire September 30, 2001, with an option to renew for an additional two years.

**GRAYBAR**

Electrical Products-Equipment Supplies and Related Services  
Discounts from 15 – 74% off Manufacturers' List

**GRAINGER**

Hardware-Paint-Electrical-HVAC-Equipment Supplies and Related Services

Stanley/Proto Hand Tools	58% off list
Milwaukee Power Tools	46% off list
Dewalt Power Tools	48% off list
GE Large Lamps	59.5% off list
Stage/Studio Lamps	52.5% off list
Grainger Catalog	15% off list
Additional Specific Mfg Discounts	28% - 58% off list

---

**E-8 Approval to Charge Admission Fee/Flynn Park**

Resolution #2001-04-188-E-8

RESOLVED, That Athens High School is granted permission to charge admission for their annual varsity softball tournament at Flynn Park on May 19, 2001. The daily admission fees are: Adults - \$3.00; Students/Seniors - \$2.00

---

**E-9 Standard Purchasing Resolution 2: Bid Award – Low Acceptable Bidders – Miscellaneous Golf and Turf Maintenance Replacement Parts for Sylvan Glen Golf Course**

Resolution #2001-04-188-E-9

RESOLVED, That contracts to purchase three-year requirements of Miscellaneous Original Equipment Manufacturers Replacement Parts for Sylvan Glen Golf Course with an option to renew for one additional year are hereby awarded to the lowest acceptable primary and secondary bidders meeting specifications, W.F. Miller Co., Weingartz Supply Co. Inc., and Spartan Distributors, at pricing and percentage discounts contained in the bid tabulation opened February 28, 2001, a copy of which shall be attached to the original Minutes of this meeting at an estimated total cost of \$30,000.00 per year.

---

**E-10 PROTEC Dues**

Resolution #2001-04-188-E-10

RESOLVED, That payment of dues in the amount of \$18,221.00 for the fiscal year ending June 30, 2001 which is based on a fee of \$0.25 cents per resident for Michigan Coalition to Protect the Public Rights of Way from Telecommunications Encroachments (PROTEC) is hereby approved.

---

**E-11 Standard Purchasing Resolution 2: Bid Award – Low Acceptable Bidder – Air Compressor Maintenance and Repair Contract**

Resolution #2001-04-188-E-11

RESOLVED, That a three-year contract to provide air compressor maintenance and repair with an option to renew for an additional two-year period is hereby awarded to the low acceptable bidder, The Coon DeVisser Company, at rates contained in the bid tabulation opened March 16, 2001 that includes a discount on repair parts of 15%, a copy of which shall be attached to the original Minutes of this meeting at an estimated total three-year cost of \$15,966.00.

BE IT FURTHER RESOLVED, That the award is contingent upon contractor submission of properly executed proposal and bid documents including bonds, insurance certificates, and all other specified requirements.

---

**E-12 Oakland County Solid Waste Management Plan Resolution**

Resolution #2001-04-188-E-12

WHEREAS, Michigan's Public Act 451 requires that each County prepare a five-year update of their County Solid Waste Management Plan, or allow the Michigan Department of Environmental Quality to prepare that Plan; and

**E-12 Oakland County Solid Waste Management Plan Resolution - Continued**

WHEREAS, The solid waste plan must address disposition of the County's solid waste for the next 10 years, and present a system for management of that solid waste, including disposal, recycling, composting and source reduction; and

WHEREAS, Oakland County has chosen to prepare its own five-year update so that the special solid waste management requirements of our communities and businesses are accommodated in ways that will enhance rather than diminish the unique economic and environmental characteristics of our county; and

WHEREAS, The Oakland County Solid Waste Planning Committee has prepared such a plan, including over two years of meetings, public hearings and the required 90 day comment period; and

WHEREAS, The proposed Oakland County Solid Waste Management Plan Update of 1999 provides for access to the landfill capacity needed by our communities and businesses for the next ten years without resorting to siting any new landfills within our own boundaries, since the region already has more than 25 years of landfill capacity; and

WHEREAS, The plan establishes a new commitment to lower costs for waste management services while increasing the scope of those services to include comprehensive recycling for all Oakland county residents and businesses; and

WHEREAS, The plan envisions a network of transfer stations and recycling facilities that will provide convenient, cost effective and environmentally responsible ways for our communities and businesses to handle solid waste and recyclables; and

WHEREAS, The plan establishes a 30% goal for recycling over the five-year planning period, which represents a significant yet very achievable increase over the current 18% recycling rate; and

WHEREAS, Achieving these goals will require commitment and cooperation of all municipalities as well as the County and area residents and businesses in moving forward with plan implementation; and

WHEREAS, The proposed Oakland County Solid Waste Management Plan Update of 1999 was approved by the Oakland County Board of Commissioners on June 15, 2000; and

WHEREAS, The proposed Oakland County Solid Waste Management Plan Update of 1999 has now been submitted to our municipality and to all other local units of government in Oakland County, as required by the State of Michigan in P.A. 451; and

WHEREAS, Approval by at least 67% of the local units of government in the County (41 local units) is required in order for the County to then submit the Plan to the Michigan Department of Environmental Quality (MDEQ) for their 90 day final review and approval process.

## **E-12 Oakland County Solid Waste Management Plan Resolution - Continued**

NOW, THEREFORE, BE IT RESOLVED, That this community hereby approves the proposed Oakland County Solid Waste Management Plan Update of 1999.

BE IT FURTHER RESOLVED, That this community hereby authorizes transmittal of its resolution of approval to the Oakland County Executive and the Oakland County Board of Commissioners.

BE IT FURTHER RESOLVED, That this community wishes to hereby declare its interest in seeing that the programs proposed in the plan be developed during the next five years.

BE IT FURTHER RESOLVED, That this community hereby declares its intent to participate in these programs should satisfactory answers be found to all technical, financial and organizational issues we may raise.

---

**E-13 Traffic Signal Maintenance Agreement – Coolidge Crossover South of Maple**

Resolution #2001-04-188-E-13

WHEREAS, As a part of the Coolidge Road project, a new traffic signal was included at the median crossover on Coolidge south of Maple.

NOW, THEREFORE, BE IT RESOLVED, That the cost agreement with the Road Commission for Oakland County for maintenance of the new traffic signal be approved.

---

**E-14 Standard Purchasing Resolution 1: Award to Low Bidder - Department of Public Works Building Addition**

Resolution #2001-04-188-E-14

RESOLVED, That a contract to construct a 1,100 square foot addition on the front of the existing Department of Public Works Building at 4693 Rochester Road be awarded to the low bidder, P.R.S. Contracting, Inc., at an estimated total cost of \$169,000.00.

BE IT FURTHER RESOLVED, That the award is contingent upon contractor submission of properly executed proposal and bid documents, including bonds, insurance certificates and all other specified requirements; and if additional work is required that could not be foreseen, such additional work is authorized in an amount not to exceed 10% of the total project cost.

**E-15 Standard Purchasing Resolution 1: Award to Low Bidders - Aggregates**

Resolution #2001-04-188-E-15

RESOLVED, That one-year contracts for Aggregates with an option to renew for one additional year are hereby awarded to the low bidders, Richmond Transport, Inc., Tri-City Aggregates, Inc., Jackie's Transport, Inc., and A&B Trucking, Inc. at unit prices contained in the bid tabulation opened March 26, 2001, a copy of which shall be attached to the original Minutes of this meeting at an estimated total cost of \$75,515.00.

BE IT FURTHER RESOLVED, That the awards are contingent upon contractors' submission of properly executed bid and contract documents, including insurance certificates and all other specified requirements.

---

**E-16 Standard Purchasing Resolution 1: Award to Low Bidders – Parking Lot Maintenance**

Resolution #2001-04-188-E-16

RESOLVED, That a contract to provide Parking Lot Maintenance is hereby awarded to the low bidder, Asphalt Specialists, Inc., at unit prices contained in the bid tabulation opened March 9, 2001, a copy of which shall be attached to the original Minutes of this meeting at an estimated total cost of \$127,280.76.

BE IT FURTHER RESOLVED, That the award is contingent upon the contractor submission of properly executed bid and contract documents, including bonds, insurance certificates and all other specified requirements, and if changes in the quantity of work is required either additive or deductive, such changes are authorized in an amount not to exceed 25% of the total project cost.

---

**E-17 Standard Purchasing Resolution 1: Award to Low Bidders – 8mm Tapes For In-Car Cameras – Police Department**

Resolution #2001-04-188-E-17

RESOLVED, That a contract to furnish 5600, 8mm tapes is hereby awarded to the low bidder Thalner Electronic Labs Inc., at the unit price contained in the bid tabulation opened March 23, 2001, a copy of which shall be attached to the original Minutes of this meeting at an estimated total cost of \$20,440.00.



---

**E-18 Standard Purchasing Resolution 4: State of Michigan Extended Purchasing Agreements – Turf Utility Vehicles and Riding Mower with Snow Blower**

Resolution #2001-04-188-E-18

RESOLVED, That a contract to purchase two (2) turf utility vehicles and one (1) riding mower with snow blower through the State of Michigan Extended Purchasing Agreement with John Deere Company is hereby awarded at an estimated total cost of \$26,622.27.

---

**E-19 Sole Source – GIS Software Maintenance Service Contract**

Resolution #2001-04-188-E-19

WHEREAS, Environmental Systems Research Institute (ESRI) is the sole source provider of the proprietary GIS system software; and

WHEREAS, ESRI has provided the service since 1999.

NOW, THEREFORE, BE IT RESOLVED, That a one-year software maintenance contract for the City of Troy's GIS Software System is hereby awarded to the sole source, (ESRI) Environmental Systems Research Institute, at an estimated total cost of \$14,946.53 expiring March 23, 2002.

---

**E-20 Rejection of Bids – Document Management and Imaging**

Resolution #2001-04-188-E-20

RESOLVED, That bids on behalf of the Tri-County Purchasing Cooperative to provide a Document Management and Imaging solution are hereby rejected due to unfavorable pricing, low evaluation scores, and a lack of features.

BE IT FURTHER RESOLVED, That the City of Troy is authorized to research a solution for a Document Management and Imaging package by a vendor who will provide the best value to the City.

---

**E-21 Private Agreement for Altair Engineering – 1820 E. Big Beaver, Project No. 00.970.3**

Resolution #2001-04-188-E-21

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Altair Bellingham, L.L.C., is hereby approved for the installation of storm sewer, water main, sidewalk and paving at 1820 E. Big Beaver, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original Minutes of this meeting.

**E-22 Acceptance of Warranty Deed – K-Mart Corporation, Big Beaver Widening, Coolidge to Adams, Project No. 93.207.6 – Parcel 5-N, Sidwell #88-20-19-476-001**

Resolution #2001-04-188-E-22

RESOLVED, That a Warranty Deed for road right-of-way from K-Mart Corporation, a Michigan Corporation, being part of property having Sidwell #88-20-19-476-001, is hereby accepted for public use; and

BE IT FURTHER RESOLVED, That the City Clerk is hereby directed to record said Warranty Deed with the Oakland County Register of Deeds, a copy of which shall be attached to the original Minutes of this meeting.

---

**E-23 Temporary Sales Trailer – Crescent Ridge Estates Subdivision**

Resolution #2001-04-188-E-23

RESOLVED, That the request from Tadian Homes, to place and occupy a sales trailer during Construction of Crescent Ridge Estates Subdivision, is hereby approved for a six-month period in accordance with Chapter 47, House Trailers and Trailer Courts, Section 6.41(2), of the Code of the City of Troy.

---

**E-24 Acceptance of Warranty Deed for Right of Way, Acceptance of Permanent Public Utility and Drain Easement – Orchard Estates Condominiums, Section 12**

Resolution #2001-04-188-E-24

RESOLVED, That the Warranty Deed for Windmill Drive and Permanent Easement for Public Utilities and Drainage delivered by Christopher and Anna Marie Konasara, as required for the development of Orchard Estates Condominiums be accepted for recording.

---

**E-25 Standard Purchasing Resolution 2: Bid Award – Low Acceptable Bidders – Turfgrass Chemical Products for Sylvan Glen Golf Course and Parks Maintenance Division**

Resolution #2001-04-188-E-25

RESOLVED, That contracts to purchase 2001 seasonal requirements of Turfgrass Chemical products are hereby awarded to the following low acceptable bidders meeting specifications at unit prices contained in the bid tabulation opened 2/20/2001, a copy of which shall be attached to the original Minutes of this meeting at an estimated total cost of \$112,538.80:

United Horticultural Supply of Linden, MI.  
Pro Source One of Clarkston, MI.  
Turfgrass Incorporated of South Lyon, MI.  
Lesco Incorporated of Strongsville, OH.  
Carso, Incorporated of Camargo, IL.  
Green and Grow Incorporated of Sterling Heights, MI.  
Simplot Partners of Farmington Hills, MI.  
Parmenter & Andre Incorporated of Grand Rapids, MI.

---

**E-26 Standard Purchasing Resolution 4: Regional Educational Media Center Association of Michigan (REMC) – Contract For Compaq Servers**

Resolution #2001-04-188-E-26

RESOLVED, That a contract for the purchase of Compaq servers and associated equipment from Compaq Computers Corporation is hereby approved through the Regional Educational Media Center Association of Michigan (REMC) Contract #C9903, at an estimated cost of \$127,103.00.

---

**E-27 Standard Purchasing Resolution 1: Award to Low Bidder – Library Renovation**

Resolution #2001-04-188-E-27

RESOLVED, That a contract to perform interior alterations at the existing Troy Public Library at 510 W. Big Beaver Road be awarded to the low bidder, Cedroni Associates, Inc., at an estimated total cost of \$134,310.00.

BE IT FURTHER RESOLVED, That the award is contingent upon contractor submission of properly executed proposal and bid documents, including bonds, insurance certificates and all other specified requirements; and if additional work is required that could not be foreseen such additional work is authorized in an amount not to exceed 10% of the total project cost.

---

**ITEMS TAKEN OUT OF ORDER**

---

**E-5 Private Agreement for Mayas Meadows Condominiums - Project No. 00.943.3**

Resolution #2001-04-189

Moved by Pallotta

Seconded by Schilling

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and E&F Investment, Inc., is hereby approved for the installation of sanitary sewer, storm sewer, detention, water main, sidewalks and paving on the site and in the adjacent right-of-way, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original Minutes of this meeting.

Yes: All-7

---

**E-28 Bacon v. City of Troy**

Resolution #2001-04-190

Moved by Pallotta

Seconded by Kaszubski

WHEREAS, James Bacon, former City Manager for the City of Troy, has filed a lawsuit against the City of Troy; and

WHEREAS, A proposed settlement agreement has been negotiated between the parties; and

WHEREAS, City Council has determined that it is in the best interest of the City of Troy to settle this matter absent of litigation.

NOW, THEREFORE, BE IT RESOLVED, That the City Manager is authorized to execute the attached Settlement Agreement and Release, and is further authorized to initiate payment of the agreed sums in final settlement of this matter.

Yes: All-7

---

## REGULAR BUSINESS

---

### F-1 Appointments to Boards and Committees

Resolution #2001-04-191

Moved by Kaszubski

Seconded by Howrylak

RESOLVED, That Appointments to Boards and Committees be carried over to the April 23, 2001 Regular City Council Meeting to allow the incoming Council Members an opportunity to review the Resumes on File.

Yes: All-7

---

### F-2 Bid Waiver – Extension of Contract – Trophies and Awards

Resolution #2001-04-192

Moved by Pallotta

Seconded by Schilling

WHEREAS, On April 13, 1998, a two-year contract to provide trophies and awards for recreational programs, was awarded to Academy Sales, formerly The Sports Academy (Resolution #98-174-C-3f) with an option to renew the contract for one additional year exercised on March 20, 2000 (Resolution #2000-118-E-4); and

WHEREAS, Academy Sales has agreed to extend the 1998 contract for one year under the same prices, terms, and conditions;

NOW, THEREFORE, BE IT RESOLVED, That bidding procedures are hereby waived and the contract with Academy Sales to provide trophies and awards on an as needed basis is hereby extended based upon the same pricing, terms, and conditions through April 30, 2002.

Yes: All-7

---

### F-3 Closed Session

Resolution #2001-04-193

Moved by Pallotta

Seconded by Pryor

RESOLVED, That the City Council of the City of Troy shall **NOT** meet in Closed Session as permitted by State Statute MCLA 15.268, Section(s), (e) Grand Sakwa v City of Troy, after adjournment of this meeting or to immediately follow the Regular meeting of April 23, 2001 and Council accepts the recommendation of the City Attorney and City Management.

Yes: All-7

**F-4 Approval of Change Order, Contract 95-5**

Resolution #2001-04-194

Moved by Pallotta

Seconded by Kaszubski

WHEREAS, Aielli Construction Company, Inc., requested additional compensation in the amount of \$20,852.73 for change orders performed on Contract 95-5, Water Main Replacements for Van Courtland and Cutting Boulevard; and

WHEREAS, The City of Troy demanded payment of \$12,182.16 from Aielli Construction Company, Inc., for final restoration work; and

WHEREAS, The parties have had an opportunity to review all supporting documentation for these claims, and have negotiated a settlement between the parties.

NOW, THEREFORE, BE IT RESOLVED, That upon Aielli's execution of a release that is acceptable to the City Attorney, the City of Troy City Manager or his designee is authorized to pay Aielli Construction Company the sum of \$4,250.00, in full satisfaction for additional services performed on Contract 95-5; Water Main Replacements for Van Courtland and Cutting Boulevard.

Yes: All-7

---

**F-5 Final Plan Approval – Orchard Estates Site Condominium – West of Dequindre, North of Long Lake Road – Section 12**

Resolution #2001-04-195

Moved by Pallotta

Seconded by Kaszubski

RESOLVED, That Final Plan Approval, as requested for the proposed Orchard Estates Site Condominium, in the area west of Dequindre and north of Long Lake Road in Section 12, is hereby granted, subject to completion of the necessary right-of-way and easement conveyance actions.

Yes: All-7

**F-6 Request From Advisory Committee for Persons With Disabilities**

Resolution #2001-04-196

Moved by Pallotta

Seconded by Kaszubski

RESOLVED, That the City Council hereby approve President George W. Bush's *New Freedom Initiative*.

BE IT FURTHER RESOLVED, That the City Clerk shall forward copies of the Resolution to elected officials representing the City of Troy.

Yes: All-7

**COUNCIL COMMENTS/REFERRALS****VISITORS****REPORTS AND COMMUNICATIONS**

---

**G-1 City of Troy Proclamation:**

Resolution #2001-04-197

Moved by Kaszubski

Seconded by Pallotta

RESOLVED, That the following City of Troy Proclamation, be approved:

(a) Recording for the Blind & Dyslexic of Michigan

Yes: All-7

---

**G-2 Minutes – Boards and Committees:**

- (a) Planning Commission – February 13, 2001
- (b) Historic District Commission – February 27, 2001
- (c) Building Code Board of Appeals – March 7, 2001
- (d) Library Advisory Board/Draft – March 8, 2001
- (e) Planning Commission – March 13, 2001
- (f) Historic District Commission – March 20, 2001
- (g) Board of Zoning Appeals – March 20, 2001

Noted and Filed

**G-3 Department Reports:**

- (a) Permits Issued During the Month of March 2001

Noted and Filed

---

**G-4 Announcement of Public Hearings:**

- (a) Proposed Zoning Text Amendment – Numerical Limit on Rooftop Antennas – Scheduled for Monday, April 23, 2001
- (b) Proposed Rezoning – North side of Butterfield, West of Crooks – Section 29 – R-1C to RM-2 – Scheduled for Monday, April 23, 2001
- (c) Proposed Rezoning – South Side of Long Lake Road, West of Rochester Road – Section 15 – R-1C to CR-1 - Scheduled for Monday, April 23, 2001
- (d) Announcement of Public Hearing – Request for Commercial Vehicle Appeal – 1855 Boulton – Scheduled for Monday, April 23, 2001

Noted and Filed

---

**G-5 Proposed Proclamations/Resolutions from Other Organizations:**

---

**G-6 Letters of Appreciation:**

- (a) E-mail Received from Lynn Umbarger to William Need Thanking the DPW Department for the Efficient Repair Service Received for Their Broken Sewer Line
- (b) E-mail Received from Thomas Hemak to Brian Stoutenberg, Regarding Appreciation of Sunday Afternoon With The Arts at the Library
- (c) Letter from Somerset Place Homeowners Association, Inc. to John Szerlag Thanking Him, Gary Shripka and Bill Need for the Time They Spent with Don Siefkes Regarding the Project to Cover the Wattles Road Ditch Between Northfield Parkway and Coolidge
- (d) Letter from John A. Starkey to the Troy Police Department Commending Officer N. Gobler for His Courteous and Pleasant Assistance in Filing an Accident Report
- (e) Letter from Claudette Zygadlo to Chief Craft Commending Officer Andy Satterfield for Transporting Her to Her Home in Warren When Bus Service From Troy was Canceled During a Snowstorm

Noted and Filed

---

**G-7 Letter From Michigan Local Government Management Association to John Szerlag Regarding His Efforts in Creating the MLGMA Membership Brochure**

Noted and Filed

---



- 
- G-8 Letter From James Giachino to Mayor Stine Regarding Resignation from Zoning Board of Appeals**

Noted and Filed

- 
- G-9 RARE NEWS Foundation Newsletter – Three Police Officers Win RARE Award For Solving Difficult Murder Case: Captain Dane Slater, Detective Sergeant James Clark, and Detective Don Tullock**

Noted and Filed

- 
- G-10 Letter from Sylvan Glen Homeowners' Association to City Council Urging Them to Support the Wetlands Protection Ordinance and the Natural Features Ordinance**

Noted and Filed

- 
- G-11 Letter from The Common Ground Sanctuary to Steve Zavislak Thanking the City of Troy for the Recent Grant of \$2100.00**

Noted and Filed

- 
- G-12 Standardized Purchasing Resolutions – Items for Consent Agenda**

Noted and Filed

- 
- G-13 Major Road Construction Update 2001-2004**

Noted and Filed

- 
- G-14 Resolution for Sewer Backups and Flooding Liability**

Noted and Filed

- 
- G-15 Informational Meeting with Residents and Businesses for the Reconstruction and Widening of Big Beaver Road, I-75 to Rochester, Contract 01-7**

Noted and Filed

- 
- G-16 *The Police Chief* – Article: “May the Task Force Be With You: Forging an Alliance to Combat Credit Fraud” – Co-Written by Charles Craft, Chief of Police**

Noted and Filed

---

**G-17 Congestion Mitigation Air Quality Projects Submitted for Funding**

Noted and Filed

---

**G-18 Open Meetings Act Memorandum From Lori Grigg Bluhm, Acting City Attorney**

Noted and Filed

---

**G-19 E-Mail from Paul Nicoletti regarding his resignation from the Board of Review**

Noted and Filed

---

**G-20 E-Mail from Dave Lambert Regarding his Resignation from the Traffic Committee**

Noted and Filed

---

**G-21 Joint Meeting – Cultural Education**

Noted and Filed

---

**G-22 Wetlands and Natural Features Ordinances Update**

Noted and Filed

---

**G-23 Upcoming Events**

Noted and Filed

---

**G-24 Annual Museum Survey of Visitors – Results**

Noted and Filed

The meeting adjourned at 10:02 P.M.

---

Matt Pryor, Mayor

---

Tonni L. Bartholomew, City Clerk

**CITY OF TROY  
PUBLIC HEARING**

A Public Hearing will be held by and before the City Council of the City of Troy at City Hall, 500 W. Big Beaver, Troy, MI on Monday April 23, 2001 at 7:30 P.M., or as soon thereafter as the agenda will permit, to consider a proposal to amend Article XL (General Provisions) of the Zoning Ordinance text, Section 40.55.00 (Accessory Buildings and Structures) by revising existing Sub-Sections to read as follows: (Underlining, except for major Section Titles, denotes changes.)

**40.00.00      ARTICLE XL GENERAL PROVISIONS**

40.55.00      ACCESSORY BUILDINGS AND STRUCTURES

Accessory buildings and structures shall be classified as herein defined and, unless otherwise provided in this Chapter, shall be subject to the following regulations:

40.55.02      Accessory buildings and structures, by their definition and nature, shall be secondary and clearly incidental to the principal building on a parcel of land. Such buildings or structures shall therefore not be permitted as the only building or structure on a parcel of land.

40.56.00      The various types of accessory buildings and structures shall be defined as follows:

ANTENNAS: Structures or facilities for the reception or transmission of radio, television, and microwave signals.

BARNs: A building specifically or partially used for the storage of farm animals such as, but not limited to, horses, cattle, sheep, goats and fowl, other than a dog house, so called.

CABANAS: A building of not more than one hundred (100) square feet used in conjunction with a swimming pool and used for no other purpose than the housing of pool filter equipment, pool accessories such as, but not limited to, vacuum cleaning equipment, brooms and safety equipment, and/or changing of clothes.

DOG HOUSES: A building of not more than thirty-six (36) square feet with a total height of not more than four feet, designed and used for housing not more than two three dogs, cats or other similar animals owned by the occupant of the parcel on which located.

GARAGES: A building of not less than one hundred eighty (180) square feet designed and intended to be used for the periodic parking or storage of one or more private motor vehicles, yard maintenance equipment or recreational vehicles such as, but not limited to, boats, trailers, all-terrain vehicles and snowmobiles.

GAZEBO: A roofed or sheltered structure, not more than one hundred seventy nine (179) square feet in area, which is generally of open, screened, or lattice-work construction, and may be used for outdoor seating.

GREEN HOUSES: A building constructed of permanent or temporary framing that is set directly on the ground and is covered with glass panels or plastic or other transparent material, and is used to grow plants from seed.

SHEDS: A building of not more than one hundred seventy nine (179) square feet designed and intended to be used for the storage of tools, garden tractors, lawn mowers, motorcycles, small recreation vehicles such as, but not limited to, snowmobiles, ATV's, motor scooters, or used as doll houses, play houses or children's club houses.

- 40.57.01 Detached accessory buildings and structures may be prefabricated or built on the site, and shall have ratwalls or other acceptable foundations not less than twenty four (24) inches in depth, or be built so that the floor and walls are located a minimum of six (6) inches above the underlying ground. Trailer-mounted accessory buildings and structures are prohibited.
- 40.57.02 Where the accessory building or structure is structurally attached to a main building, it shall be subject to, and must conform to, all regulations of this chapter applicable to a main building.
- 40.57.03 Accessory buildings or structures shall not be erected in any yard, except a rear yard.
- 40.57.04 Accessory buildings or structures may occupy not more than twenty-five (25) percent of a required rear yard. In no instance shall the combined ground floor area of all accessory buildings exceed six hundred (600) square feet or one half of the ground floor area of the main building, whichever is greater.
- 40.57.05 No detached accessory building or structure except dog houses or cabanas shall be located closer than ten (10) feet to any main building, nor shall any accessory building or structure be located closer than six (6) feet to any side or rear lot line. In those instances where the rear lot line is coterminous with an alley right-of-way, the accessory building or structure shall not be closer than six (6) feet to such rear lot line. In no instance shall an accessory building or structure be located within a dedicated easement or right-of-way.
- 40.57.06 No detached accessory building or structure, in any Residential, C-F, B-1, and P-1 District shall exceed one (1) story or fourteen (14) feet in height. Pole, ~~or mast-type or whip-type~~ antennas may, however, be permitted to be constructed to a height equal to the permitted maximum height of structures in these Districts. Pole, ~~or mast, -type whip, or panel~~ type antennas which are roof-mounted or attached to a building shall not extend more than twelve (12) feet above the highest point of a roof. Satellite dish antennas in Residential Districts, which extend more than fourteen (14) feet in height or fourteen (14) feet above grade, shall not exceed twenty-four (24) inches in diameter. Satellite dish antennas shall be placed so that rotation can occur without encroachment into the required six (6) foot setback as provided in Section 40.57.05.
- 40.57.07 Accessory buildings and structures in all Districts not specified in Section 40.57.06 may be constructed to one (1) story or fourteen (14) feet in height or ~~may, subject to Board of Appeals review and approval, be constructed equal to~~ the permitted maximum height of the structures in said Districts, ~~subject to Board of Appeals review and approval.~~ Exception: Roof-mounted antennas, not

extending more than twelve (12) feet above the highest point of a roof, are not subject to Board of Appeals review.

40.57.08 No more than two (2) antenna structures (no more than one of which may be ground-mounted, and thus detached from the main building) shall be permitted for each lot or parcel, with the following exceptions: ~~On non-residential parcels, two antenna structures shall be permitted for the first 20,000 square feet of gross building area, with one antenna structure permitted for each additional 20,000 square feet of gross building area, or major portion thereof.~~

A. On non-residential parcels, two (2) antenna structures shall be permitted for the first twenty thousand (20,000) square feet of gross building area, with one antenna structure permitted for each additional twenty thousand (20,000) square feet of gross building area, or major portion thereof.

B. The numerical limits of this Section shall not apply in the following situations:

1. Panel-type antennas which are visually integrated with the building surface on which they are mounted (similar color, not extending above wall, equipment penthouse or enclosure surface).

2. Pole, mast, whip, or panel-type antennas mounted on or adjacent to the roof of residential or non-residential buildings sixty (60) feet or more in height.

40.57.09 When an accessory building or structure is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot or parcel to its rear, said building or structure shall not project beyond the front setback line required on the lot or parcel to the rear of such corner lot. When an accessory building or structure is located on a corner lot, the side lot line of which is substantially a continuation of the side lot line of the lot to its rear, said building shall not project beyond the side yard line of the lot or parcel to the rear of such corner lot.

40.57.10 When an accessory building or structure in any Residence, Business or Office District is defined as other than an antenna, cabana, dog house, garage or shed, construction or placement of the accessory building or structure shall be subject to the approval of the Board of Zoning Appeals. Examples of those structures requiring Board of Zoning Appeals approval would thus include, but not be limited to, Barns, Greenhouses, and free-standing Gazebos. Gazebos constructed as a part of attached open patios or deck structures in a rear yard shall be regulated in accordance with Section 41.45.00 of this Chapter, and shall not require Board of Zoning Appeals approval.

40.57.11 NEIGHBORS NOTIFICATION:

Applications for permits for the placement or construction of sheds located in platted subdivisions or on acreage parcels of less than two (2) acres shall be submitted with evidence of notification of placement or construction to the owners of record of fifty percent (50%) of the developed lots or parcels which are immediately abutting the parcel on which the subject building or structure is to be placed. On acreage parcels of two (2) acres or more, evidence of notification shall be provided in relation to all owners of record of developed land within one

hundred (100) feet of the subject building or structure. Evidence of notification shall consist of either certified mail receipts, or a signed affidavit, from the required number of property owners.

- 40.57.12 The construction, erection, installation or placement of accessory buildings or structures shall be in accordance with the requirements of the Building Code and the Electrical Code. Building Permits shall be required for accessory buildings greater than thirty-six (36) square feet in area and/or greater than four (4) feet in height. Building Permits shall be required for all ground-mounted antennas, and for roof-mounted antennas greater than four (4) feet in height. Electrical service for ground-mounted antennas shall be provided only through underground lines.

You may express your comments regarding this matter by writing this office or by attending the Public Hearing.

---

Tonni Bartholomew  
City Clerk

***NOTICE:*** People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk (248) 524-3316 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

March 29, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Gary Shripka, Assistant City Manager/Services  
Laurence G. Keisling, Planning Director

SUBJECT: **PROPOSED REZONING** – North side of Butterfield, West of Crooks  
Section 29 – R-1C to RM-2 (file Z 638)

A request has been submitted for the rezoning of a single one-acre lot having 106 feet of frontage on the north side of Butterfield Drive, west of Crooks Road, from R-1C to RM-2 (Multiple-Family Residential, Mid-Rise). The petitioners, related to the developers of the Regents Park of Troy apartment complex to the east and south, have requested this rezoning in order to enable this lot to be included with the two similar-sized lots to the east, and developed as an expansion of the Regents Park Complex. The enclosed "site plan" indicates how two additional buildings, similar to those within the present development, could be constructed in this potential 3-acre expansion area.

The most effective way of reviewing the background of this proposal is by referring to the enclosed memorandum dated April 24, 1996, which relates to the rezoning request and actions which enabled the present Regents Park development to occur. That rezoning process was preceded by a Master Plan Amendment, which resulted in the indication of "High Density Mid-Rise" residential use north and south of Butterfield, west of Crooks, while continuing a "Low Rise Office" designation in the area at and adjacent to the northeast corner of Butterfield and Todd Streets. The resultant rezoning action excluded the lot presently under consideration, while including a two-lot parcel to the east, which at the time was owned by persons other than the apartment developers. That two-lot parcel has been acquired by the petitioners, and they are presenting this proposal as the construction of the Regents Park Complex is proceeding to conclusion.

The primary question considered by the staff and the Planning Commission in conjunction with this rezoning request was whether the subject lot should be reserved for potential combination with the two developed lots extending west to Todd Street, for potential redevelopment as a larger office site, or whether the lot should be rezoned in order to enable completion of the proposed next phase of the Regents Park development. As was the case in 1996, development of a larger office site in this area would require acquisition of the lot which includes a portion of the parking area for the office building and the restaurant to the north within the Big Beaver Road frontage, and the required reconfiguration of the parking facilities for that development in conjunction with a proposed future development in the Butterfield–Todd area.

The Planning Commission considered this matter, in conjunction with a public hearing, at their regular meeting of March 13, 2001. At that time, staff indicated that it would be preferable to enable multiple-family residential use, rather than office use, to extend on

west to Todd Street. The economic potential for that situation to occur is probably even more remote, however, than the potential for the previously suggested office assembly. The petitioners reviewed their proposed development, and indicated that the proposed construction of two additional buildings would require the total 3-lot parcel. In response to staff's previous request, they also presented a concept site plan for the redevelopment of the single one-acre lot extending north from the northeast corner of Butterfield and Todd. This plan also, in part,

March 27, 2001  
Rezoning Report  
Page 2

responded to the objection of Mrs. Clayton, owner of the residence at the northeast corner of Butterfield and Todd. She continues to be concerned that her property would be further isolated if this rezoning is approved and the proposed development is implemented.

After considering the alternatives, the Planning Commission concluded that it would be preferable to enable the second phase of the Regents Park development to proceed through inclusion of the total 3-lot parcel. They therefore adopted a resolution recommending approval of this R-1C to RM-2 rezoning request.

A City Council public hearing has been set on this matter for your regular meeting of April 23, 2001. Following that public hearing, it is the recommendation of City Management that the City Council take action to approve this request for rezoning from R-1C to RM-2 (Multiple-Family Residential, Mid-Rise).

Copies to: Mark Stimac, Director of Building & Zoning  
Doug Smith, Real Estate & Development Director  
Tonni Bartholomew, City Clerk

Enclosures



March 28, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Gary Shripka, Assistant City Manager/Services  
Laurence G. Keisling, Planning Director

SUBJECT: PROPOSED REZONING South Side of Long Lake Road, West of  
Rochester Road Section 15 – R-1C to CR-1 (file Z668)

In June of 2000 a request was submitted for the rezoning of a 4.54-acre net area parcel having 330 feet of frontage on the South side of Long Lake Road, West of Rochester Road, from R-1C to R-1T, One-Family Attached – Residential) in order to enable construction of a residential condominium project. The subject site abuts residentially-zoned portions of the Goodman/Versatube properties to the South and East, and an acreage home site to the West. That home site lies between the subject property and Covington Ridge Subdivision #3, which was developed by the petitioners in this matter, the Choice Group.

The Master Land Use Plan in this area includes a Medium-Density-Residential use area extending West from the Community Service Area at the Long Lake & Rochester intersection. The primary question in conjunction with this request was the westerly extent of the Medium-Density Residential use area, and how that should be expressed through zoning. The petitioners have proposed that the watercourse which crosses the Northwest portion of the site could reasonably serve as a transition line between Medium-Density and Low-Density use in this area. The Preliminary Environmental Report (copy enclosed) prepared by the City's Interim Environmental Consultant, Dr. Jaworski, further indicates that a wetland area exists in the Southeasterly portion of this site as well. The preliminary wetlands map attached to this report was modified to indicate the approximate boundary of the Choice Group property, thus enabling a clearer understanding of the wetland conditions in this area. Dr. Jaworski has indicated that further detailed study is necessary in order to determine the exact limits of the wetland area. In any event, it does appear that wetland area exists on the property which would restrict the extent of residential development in any form.

This matter was first considered by the Planning Commission in conjunction with a Public Hearing at their Regular Meeting of July 11, 2000. Many residents from the adjacent area appeared and stated their opposition to the R-1T rezoning request. In response to a question from the Commission, they were advised that a B-2 rezoning request had just been submitted for the 14.5-acre parcel immediately to the East in order to enable development of a Home Depot. After extensive discussion of residential development alternatives in this area, the Commission tabled action until their August 8, 2000 Regular Meeting in order to provide an opportunity for the City's Environmental Consultant to review the property, and for the petitioners to consider potential development directions in conjunction with the property immediately to the East. Following further discussion at their August 8<sup>th</sup> Meeting, action was tabled once again to the October 10<sup>th</sup> Regular Meeting in order to provide time for the Planning

Commission to receive a clearer delineation of the wetlands and natural features in this area, and for the petitioners to further consider potential development directions in conjunction with the property abutting to the East. At the October 10<sup>th</sup> Regular Meeting, action was tabled once again to the February 13, 2001, Regular Meeting, at the request of the petitioners. At the February 13<sup>th</sup> Meeting, the petitioners once again requested tabling to the Commission's March 13, 2001 Regular Meeting.

In the course of discussing this proposal with the Planning Commission, staff noted that R-1T zoning enables development flexibility through the attachment of units which would help to preserve natural features such as wetlands, etc. At the Commission's August, 2000, Regular Meeting, staff suggested that

March 28, 2001  
Proposed Rezoning  
Page 2

application of CR-1 (One Family Residential-Cluster) zoning would enable the same benefits while maintaining the potential development density in the Low-Density residential range. (In the case of the R-1C area, a maximum density of 3.1 dwelling units per acre would be permitted, as compared to a maximum of 6.2 dwelling units per acre under R-1T zoning.) Many of the Commission members indicated the position that the parcel under consideration is beyond the limit of the area which should be considered for rezoning to a classification in the Medium-Density Residential range. Staff recommended that, if the Commission, and ultimately the City Council, wished to take an action which could help to enable preservation of significant natural features in this area, the alternative of rezoning to the CR-1 classification would be reasonable. As indicated by their enclosed letter of March 13, 2001, as received at the Planning Commission Meeting of that date, the petitioners have agreed to modify their rezoning request in the direction of rezoning the subject property to the CR-1 (One-Family Residential-Cluster) classification. After further discussion at the March 13<sup>th</sup> Meeting, the Planning Commission adopted the resolution recommending rezoning of this property from R-1C to CR-1.

A Public Hearing on this matter has been scheduled for your Regular Meeting of April 23, 2001. Following that Public Hearing, it is the recommendation of City Management that the City Council take action to rezone the subject, 4.5-acre parcel from R-1C to CR-1.

cc: Mark Stimac, Building & Zoning Director  
Steve Vandette, City Engineer  
Doug Smith, Real Estate & Development Director  
Tonni Bartholomew, City Clerk

DATE: April 2, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Gary A. Shripka, Assistant City Manager/Services  
Mark Stimac, Director of Building and Zoning

SUBJECT: Announcement of Public Hearing  
Request for Commercial Vehicle Appeal  
1855 Boulan

On March 15, 2001, follow up information was sent to Mr. Cipitan Botezan that identified restrictions related to commercial vehicles located on residential property. As part of that information, he was advised that the Ford cube van parked on that property did not comply with the exceptions found in Chapter 39, Section 40.66.00. He was given the option to remove the vehicle or appeal to City Council for relief of the Ordinance.

In response to our letter, Mr. Botezan has filed an appeal. The appeal requests that a public hearing date be held in accordance with the ordinance. A public hearing has been scheduled for your meeting of April 23, 2001.

Should you have any questions or require additional information, kindly advise.



April 23, 2001

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager  
Gary A. Shripka, Assistant City Manager/Services  
Jeanette Bennett, Purchasing Director  
Carol Anderson, Parks and Recreation Director

Subject: Standard Purchasing Resolution 1: Award To Low Bidder –  
Street Trees For Residential Right-Of-Way Fall Plantings

**RECOMMENDATION**

The Parks and Recreation Department recommends that the City Council award a three-year contract to purchase bare root street trees for Right-of-Way fall plantings to the low bidder – Marine City Nursery Co., PO Box 189, Marine City Mi. 48039, 810-765-5533, at an estimated cost of \$40,400.00 annually, at unit prices contained in the attached bid tabulation opened 3/23/01.

**REJECTION OF ALTERNATE A**

In addition, staff recommends rejecting Alternate A, which includes the cost of street trees plus installation. City forces will install all Right-of-Way street trees.

**SUMMARY**

Bids for the contract were opened March 23, 2001 with one company responding. Marine City Nursery was the sole bidder and meets all specifications.

**BUDGET**

Funds are available to complete this project in the Local Tree Planting Account #778.7740.120.

42 Bids Sent  
2 Bids Rec'd  
1 No Bid

Prepared by: Ron Hynd, Landscape Analyst

April 9, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Gary Shripka, Assistant City Manager/Services  
Laurence G. Keisling, Planning Director

SUBJECT: Extension of Tentative Preliminary Plat Approval – **Clarklift Subdivision**  
– West Side of Austin, North of Maple Road – Section 26

On November 2, 1998, the City Council granted Tentative Approval to the Preliminary Plat of a 2 lot subdivision on a 3.5 acre M-1 zoned parcel extending west from Austin Street adjacent to the Larchwood Street intersection, in the area north of Maple Road and east of I-75. As indicated in the enclosed communication, the proprietor was not able to complete the necessary engineering work to further process this plat within the one-year Tentative Preliminary Plat Approval period. A request has, therefore, been submitted for an extension of Tentative Preliminary Plat Approval, in order to enable completion of the subdivision platting process in the form and manner originally proposed. Staff has no objection to this request and would, therefore, recommend that the City Council take action to grant an extension of the previous Tentative Preliminary Plat Approval, until January 1, 2002.

The enclosed memorandum, dated October 28, 1998, explains the background of this relatively unusual subdivision proposal, which basically just enables the creation of one additional land parcel. The access and utility easements which will be obtained through this platting process will, however, be beneficial in relation to properly serving the area, both now and in the future. The site is a developed industrial site, and involves no regulated wetlands.

/lz

copies: Steve Vandette, City Engineer  
Douglas Smith, Real Estate and Development Director  
Nino Licari, City Assessor  
Tonni Bartholomew, City Clerk

April 11, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
John M. Lamerato, Assistant City Manager/Finance & Administration  
Jeanette Bennett, Purchasing Director  
Cindy Stewart, Community Affairs Director

SUBJECT: Standard Purchasing Resolution 1: Award To Low Bidder –  
Remote Camera System

### **RECOMMENDATION**

Four complete bid proposals were received on March 22, 2001, for a Remote Camera System to be installed in the City Council Chambers. Staff recommends an award be made to the low bidder, Thalner Electronic Lab at an estimated total cost of \$66,430.88. Thalner Electronic Lab has an excellent reputation of service with the City of Troy. We have purchased a number of equipment for our cable television operations.

### **REJECTION OF OPTIONAL PROPOSALS**

The City recommends rejection of the on-site extended warranty/maintenance contract to commence after the specified one-year warranty period. The cost for a warranty/maintenance contract will be pursued at a later time and processed annually on a purchase order, once the equipment list is finalized. In addition, the optional non-listed additional equipment is being recommended for rejection, as most of the equipment suggested to provide for a better remote camera system is currently in use.

### **BUDGET INFORMATION**

Funds for this purchase are available in the Community Affairs Department Capital Account #401267.7978.010.

23 Bids Sent  
9 Bids Rec'd  
5 No Bids

March 28, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Gary A Shripka, Assistant City Manager/Services  
Jeanette Bennett, Purchasing Director  
William R. Need, Public Works Director

Subject: Standard Purchasing Resolution 2: Bid Award – Low Acceptable  
Bidders  
Asphalt Paving Material

**RECOMMENDATION:**

On March 16, 2001, bid proposals were opened to furnish one-year requirements of Asphalt Paving Material. After reviewing these proposals, the Public Works Department recommends awarding the contract to the following bidders –

Item	Estimated Quantity (Tons)	Description	Price/Ton
<b><u>ANGELO'S ASPHALT MATERIALS</u></b>			
Item 1a	250	1100T 36A Wearing	\$29.00
Item 1b	250	1100T 20AA Wearing	\$28.00
Item 1c	250	1100L 20AA Leveling	\$28.00
Item 4	1000	Commercial Top	\$27.00
Item 5	250	Commercial Base	<u>\$26.00</u>
			\$54,750.00
<b><u>MIDLAND CONTRACTING COMPANY</u></b>			
Item 2a	200	UPM Delivered	<u>\$52.85</u>
			\$10,570.00
<b><u>BARRETT PAVING MATERIALS INC.</u></b>			
Item 2b	200	UPM picked up as needed by Troy at plant	\$57.00
Item 6	30	Sand Sheet	\$42.00
Item 7	500 gal	Bulk Tack Coat	\$ 1.50/GAL
			<u>\$20.00/PAIL</u>
			\$ 13,410.00
			<u>ESTIMATED TOTAL COST: \$78,730.00</u>

No bids were received for Item #3, 50 Tons of Reclaimed Asphalt Pavement (RAP). The Public Works Department will order this material as needed using the informal three-quote process. Asphalt Paving Material is purchased on an as needed basis throughout the year based upon estimated quantities.



Date: March 28, 2001

To: The Honorable Mayor and City Council  
Re: Bid Award – Asphalt Paving Material  
Page 2 of 3

**SUMMARY:**

Even though Angelo's Asphalt and Barrett Paving Materials Inc. are not the apparent low bidders for particular items above, any benefit derived in cost savings would be offset in transportation costs and production loss: due to traveling time to the plants in Howell, Wixom or Midland.

In the event Angelo's Asphalt and Midland Contracting Company are unable to supply material as specified, Barrett Paving Materials Inc. located within the City

limits at Maple and Crooks Roads, shall be named as the secondary supplier for all items.

**BUDGET:**

Funds for these materials are available through the Public Works operating budgets.

26 Bids Sent  
4 Bids Rec'd

Prepared by: Vicki C. Richardson, Administrative Aide

April 11 2001

TO: The Honorable Mayor and City Council

FROM John Szerlag, City Manager  
Jeanette Bennett, Purchasing Director  
William Nelson, Fire Chief

SUBJECT: Grant Application -  
Federal Assistance To Firefighters

### **RECOMMENDATION**

It is recommended that the City Council approve the Grant Application for Federal Assistance to Firefighters. We wish to apply for funding in two categories for a total of \$126,000. If the City were awarded both grants, our matching amount would be \$37,800. If we are successful in obtaining one or both of the grants, there are funds in our 2001-02 budget that can be used to provide the matching funds.

### **BACKGROUND**

Congress passed an appropriations law in 2000 that provided matching grants to local fire departments. This program was funded in the amount of one hundred million dollars. The application period is April 1 to May 2, 2001.

### **ADDITIONAL INFORMATION**

Firefighting Equipment and Fire Prevention are the two areas that we are applying for funding. In the equipment area, we are applying for \$96,000 to install mobile computers in the remainder of our fire apparatus. In the fire prevention area, we are applying for \$30,000 to purchase a new fire safety trailer.

Prepared by: Richard Sinclair, Asst. Fire Chief

April 12, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Gary A. Shripka, Assistant City Manager/Services  
Jeanette Bennett, Director of Purchasing  
Steven Vandette, City Engineer

SUBJECT: Standard Purchasing Resolution 1: Award to Low Bidder  
Section 3, South of Lovell – Bituminous Overlay, Contract No. 01-6

---

### **RECOMMENDATION**

The Engineering Department recommends that City Council award a contract for Section 3, South of Lovell – Bituminous Overlays to the low bidder, Ace Asphalt & Paving Company, 115 S. Averill Ave., Flint, MI 48506 for their low bid of \$298,895.00 contingent upon submission of proper proposal and bid documents, including insurance certificates, bonds and all specified requirements.

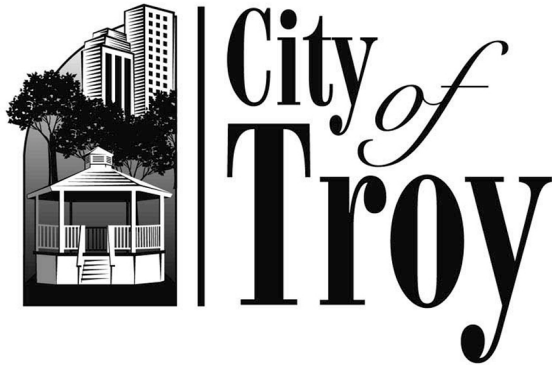
In addition, we are requesting authorization to add work due to unforeseen circumstances, not to exceed 10% of the original project cost.

### **SUMMARY**

Bids were received and publicly read on April 11, 2001 with eight contractors responding. The low bidder was Ace Asphalt & Paving Company, as indicated in the attached tabulation of bids. Ace Asphalt & Paving Company's experience and references were verified and found satisfactory. The bituminous overlay project includes a bituminous overlay of Lesdale, Hurst, Booth, Ottawa, Dondalson, Marengo, De Etta, Hannah and Norton streets. These streets were part of the water main replacement project completed last season. The project schedule calls for completion of the project by June 30, 2001. Restoration, if needed, would be completed in the September.

### **FUNDING**

Funds are available to complete this project in the 2000/01 Water budget, account number 555.7972.975045 in the amount of \$689,000. The budgeted amount includes funds for construction, inspection and contingencies. Additionally, funds were included for a bituminous overlay on Lovell, Donaldson, Westaway, Montclair and Norton (all north of Lovell) to be completed as part of the Dennis Powers Drain project currently in design.



4/30/01

TO: Honorable Mayor and Members of Council

FROM: Lori Grigg Bluhm, Acting City Attorney  
Robert F. Davisson, Assistant City Attorney

RE: TROY V. HAROLD R. THOMAS (CIVIC CENTER PROJECT)

---

Attached is a proposed Settlement Agreement and Release that would resolve the condemnation case concerning the property of Harold R. Thomas, which is located at 11 Town Center Drive, Troy, Michigan.

The City's initial offer was \$342,500 for the property. A recent appraisal for the City valued the land at \$367,000. The appraisal for Mr. Thomas valued the property at \$400,000. Attorney Gary Strauss, who has been retained by the City to negotiate this matter, has negotiated a value of \$383,500 for the property.

It is the opinion of the City Attorney's office that settlement of this case is in the best interest of the City, especially in light of potential litigation costs if the case proceeds to trial. The proposed settlement agreement requires the City to pay Mr. Thomas an additional \$62,167. This sum includes an additional \$41,000 for just compensation; \$13,667 for the statutorily required reimbursement of attorney fees and \$7,500 in the statutorily required reimbursement of expert fees.

If you have any questions concerning the above, please let us know.

CC: John Szerlag, City Manager

April 18, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Gary A. Shripka, Assistant City Manager/Services  
Jeanette Bennett, Director of Purchasing  
Steven Vandette, City Engineer

SUBJECT: Standard Purchasing Resolution No. 1: Award to Low Bidder and Approval of Contract with MDOT for the John R and 14 Mile Road Landscaping and Lighting Enhancement Project, Contract 01-1

---

### **RECOMMENDATION**

The Engineering Department recommends that City Council approve the attached contract with the Michigan Department of Transportation for the John R and 14 Mile Road Landscaping and Lighting Enhancement Project. The contract with MDOT requires city approval and subsequent approval by the Michigan Transportation Commission before we can execute the construction contract. We expect approval by the Commission on May 1, 2001.

The Engineering Department recommends that City Council award a contract for John R and 14 Mile Landscaping and Lighting to the low bidder – Peter A. Basile Co., 13000 Newburgh, Livonia, Michigan 48253 for their low bid of \$905,330.55, contingent upon submission of proper proposal and bid documents, including insurance certificates, bonds and all specified requirements. Staff further recommends that the Mayor and City Clerk be authorized to execute the contract with the MDOT and execute the construction contract with Peter A. Basile Co. upon approval of the MDOT contract by the Michigan Transportation Commission on May 1, 2001.

### **SUMMARY**

Bids were received and publicly read on March 13, 2001 with three contractors responding. The low bidder was Peter A. Basile Co. as can be seen in the attached tabulation of bids. The low bid received is within our budget estimates. Peter A. Basile Company's experience and references were verified and found satisfactory.

The John R and 14 Mile project is a beautification project that will provide landscaping and brick paver features on the medians and parkway extensions along John R Road, north of 14 Mile, and on 14 Mile Road east and west of John R. The project will also eliminate the existing clutter of different poles and signs on the

The Honorable Mayor and City Council  
April 18, 2001

roadway with removal of overhead and ground site direction signs by the Road Commission for Oakland County. These improvements will provide a more pleasing environment to motorists traveling and shopping in this area and will complement recent renovations at Oakland Mall and at several other properties in the area. This enhancement project is the result of numerous meetings between the cities of Troy, Madison Heights and the area property owners and we are all very pleased to see this move forward. Work is projected to start in May and be complete in August.

The contract with the MDOT formalizes the Transportation Enhancement grant that was secured for this project by the City of Troy under the Michigan Transportation Enhancement Program, Transportation Aesthetics division.

### **FUNDING**

Funding for this project is from the Michigan Department of Transportation Enhancement Grant, Tri-Party fund balance and from the City of Madison Heights. Funding is also available from the 2000/01 budget and proposed 2001/02 Major Road budget, account number 401479.7989.921025 for completion of the project. The budgeted amounts include funds for construction, inspection and contingencies. The City of Troy's estimated share of the project is \$534,840.

March 21, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Gary A. Shripka, Assistant City Manager/Services  
Nino Licari, City Assessor  
Lori Grigg Bluhm, Acting City Attorney  
Doug Smith, Real Estate & Development Director

SUBJECT: Mr. Joseph Wassef (Parcel #88-20-13-429-023)

Mr. Wassef has approached the City with an offer to sell a remnant parcel south of Long Lake and west of Dequindre to the City of Troy for \$9,900.00. This parcel is approximately 228 feet deep by 59-foot frontage. The saga on this parcel goes back to April 1989 when Troy City Council approved a preliminary plat for Wattles Pointe. Attached is Nino Licari's May 26, 2000 memo that details the history on this particular remnant parcel. As he notes in his second to final paragraph, "the City has to take some responsibility for this parcel being in existence. Had this error been caught, the plat would have been corrected, and this parcel would not exist".

Mr. Wassef has threatened to file a lawsuit against the City, since the parcel is not currently buildable. The Wassefs unsuccessfully sought two variances to build on the property. They have also failed at all efforts to sell the parcel. It is the opinion of the City Attorney's office that the City is not liable to the Wassefs, since the City is afforded governmental immunity. Any errors and/or omissions of the City were minor, and certainly do not rise to the level of gross negligence. In addition, the alleged City errors occurred prior to the Wassef purchase of the property. The City Attorney's office is also concerned about setting a precedent in this case. There are several remnant parcels in the City, and owners should not be encouraged that the City coffers will be used to purchase and maintain these remnant parcels.

This parcel could be distinguished from other remnant parcels, however, since it represents an investment opportunity for the City. This .3-acre remnant parcel could be purchased for approximately \$.736 ~~\$7.36~~ per square foot. The parcel to the north is currently only large enough for one lot. However, if the parcel to the north is redeveloped, it could be combined with the remnant parcel to allow two buildable lots. Therefore, at some future date when the parcel to the north is sold or redeveloped (there is now an older single family home on it) the City could sell the parcel to that owner in order to expand that lot to two buildable lots.

Final purchase may require a budget amendment and/or funds from the future sale of the property may be used to offset the expenditure for the land.

April 17, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Gary A. Shripka, Assistant City Manager/Services  
Steven Vandette, City Engineer

SUBJECT: Private Agreement for Village at Midtown Square  
Project No. 00.964.3

The Engineering Department has reviewed and approved plans for this project, which includes water main, storm sewer, sanitary sewer, paving, sidewalks, mass grading and soil erosion.

The Owner has provided cash escrow and cash fees in the amount of the estimated cost of public improvements, as required by the consent judgment.

Approval is recommended.

'00 Projects\00.964.3\Private Agreement Cover Letter

cc: Barbara A. Holmes, Deputy City Clerk (Original Agreement)  
James Nash, Financial Services Director

Enclosed Private Agreement, Detailed Summary, Sketch

Prepared by: G. Scott Finlay, P.E.  
Civil Engineer



DETAILED SUMMARY OF REQUIRED ESCROW DEPOSITS AND CASH FEES  
PRIVATE AGREEMENT FOR VILLAGE AT MIDTOWN SQUARE  
PROJECT No. 00.964.3

The estimated costs of public improvements for the above mentioned project are as follows:

**Escrow Deposits:**

Mass Grading	\$100,000.00
Water Main	173,097.00
Paving/Sidewalks	481,440.00
Storm Sewer	168,587.00
Sanitary Sewer	<u>73,025.00</u>

**Total Escrow Deposits:** (check) **\$ 996,149.00**

**Cash Fees:**

Review & Inspection	\$ 46,819.00
Water Main Testing	5,023.68
Street Cleaning/Road Maintenance	<u>5,000.00</u>

**Total Cash Fees:** (check) **\$ 56,842.68**

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS  
(PRIVATE AGREEMENT)**

**PROJECT No. 00.964.3** \_\_\_\_\_

**PROJECT LOCATION: MAPLE AND COOLIDGE** \_\_\_\_\_

**RESOLUTION No.** \_\_\_\_\_

**DATE OF COUNCIL APPROVAL:** \_\_\_\_\_

**KNOW ALL MEN BY THESE PRESENT;** That the City of Troy, a Michigan Municipal Corporation of the County of Oakland, State of Michigan, hereinafter referred to as "City" and Grand / Sakwa Properties, Inc. / New Holland, L.L.C. whose address is 32000 Northwestern Hwy., Suite 125, Farmington Hills, MI 48334 and whose telephone number is (248)-855-5500 hereinafter referred to as "Owners".

**WITNESSETH, FIRST:** That the City agrees to allow the installation of water main, storm sewer, sanitary sewer, paving, sidewalks, mass grading and soil erosion in accordance with plans prepared by Zeimet - Wozniak whose address is 28450 Franklin, Southfield, MI 48034 and whose telephone number is (248)-352-8950, and approved prior to construction by the City Specifications of the City shall be complied with for this construction.

**SECOND:** That the Owners agree to contribute the approximate contract price of \$996,149.00. This amount will be transmitted to the City Clerk for installation of said improvements in the form of (check one):

Cash ☐

Certificate of Deposit ☐

Irrevocable Bank Letter of Credit ☐

Check ☒

Said funds shall be placed on deposit with the City upon the execution of this contract and shall be disbursed to the contractor by the City only upon presentation of duly executed waivers of lien and sworn statements satisfactory to the City, and after final inspection and approval by the Engineering Department for the City. In addition, the owners agree to contribute the following cash fees:

* Plan Review and Construction Inspection Fee	\$46,819.00
Water Main Testing Fee	\$5,023.68
Street Cleaning/Road Maintenance (Refundable)	\$5,000.00
TOTAL:	\$56,842.68

\* 4.70% (.047) of approximate contract price

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS  
(PRIVATE AGREEMENT)**

PROJECT No. 00.964.3PROJECT LOCATION: MAPLE AND COOLIDGECOUNCIL RESOLUTION No.DATE OF COUNCIL APPROVAL:

**THIRD:** The owners may contract for construction of said improvement or may have the City advertise for bids. In the even the Owners select their own contractor, such contractor shall be subject to prior written approval by the City and completed contract documents shall be submitted to the City.

Owners agree to arrange for a pre-construction meeting with the City Engineer and the contractor prior to start of work. All municipal improvements must be completely staked in the field under the direct supervision of a registered civil engineer or registered land surveyor, according to the approved plans.

**FOURTH:** Owners hereby acknowledge the benefit to their property conferred by the construction of the aforementioned and agree and consent to pay the total sum of \$1,052,991.68 for the construction of said public utilities in lieu of the establishments of any special district by the City. Further, owners acknowledge that the benefit to their property conferred by the improvement is equal to, or in excess of, the aforementioned amount.

**FIFTH:** Owners agree that if, for any reason, the total cost of completion of such improvement shall exceed the sum deposited with the City in accordance with Paragraph SECOND hereof, that Owners will immediately remit such additional amount to the City upon request and City will disburse such additional amount in accordance with Paragraph SECOND hereof. In the event the total cost of completion shall be less than the sum deposited with City in accordance with Paragraph SECOND hereof, City will reimburse to the Owners the excess funds remaining after disbursement of funds.

**SIXTH:** Owners agree to indemnify and save harmless City, their agents and employees, from and against all loss or expense (including costs and attorneys' fees) by reason of liability imposed by law upon the City, its agents and employees for damages because of bodily injury, including death, at any time resulting therefrom sustained by any person or persons or on account of damage to property, including work, provided such injury to persons or damage to property is due or claimed to be due to negligence of the Owner, his contractor, or subcontractors, employees or agents, Owner further agrees to obtain and convey to the City all necessary easements for such public utilities as required by the City Engineer.

**CONTRACT FOR INSTALLATION OF MUNICIPAL IMPROVEMENTS  
(PRIVATE AGREEMENT)**

**PROJECT No. 00.964.3** \_\_\_\_\_

**PROJECT LOCATION: MAPLE AND COOLIDGE** \_\_\_\_\_

**COUNCIL RESOLUTION No.** \_\_\_\_\_

**DATE OF COUNCIL APPROVAL:** \_\_\_\_\_

**IN WITNESS WHEREOF**, the parties hereto have caused this agreement to be executed in duplicate on this \_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_.

OWNERS

By:

CITY OF TROY

By:

\_\_\_\_\_  
Please Print or Type

\_\_\_\_\_  
Jeanne M. Stine, Mayor

\_\_\_\_\_  
Please Print or Type

\_\_\_\_\_  
Tonni Bartholomew, City Clerk

STATE OF MICHIGAN, COUNTY OF OAKLAND

On this \_\_\_\_\_ day of \_\_\_\_\_, A.D.200\_\_\_\_, before me personally appeared \_\_\_\_\_ known by me to be the same person(s) who executed this instrument and who acknowledged this to be his/her/their free act and deed.

NOTARY PUBLIC, \_\_\_\_\_ Michigan

My commission expires: \_\_\_\_\_

DATE: April 16, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Gary A. Shripka, Assistant City Manager/Services  
Mark Stimac, Director of Building and Zoning

SUBJECT: Correction of Resolution  
Request for Temporary Sales Trailer  
Cedar Ridge Estates Site Condominium

At the City Council meeting of April 9, 2001 a resolution was passed to grant approval to place and occupy a temporary sales trailer as requested by Tadian Homes. Unfortunately, in the preparation of the memorandum and in the subsequent proposed resolution language, the name of the Subdivision was shown as Crescent Ridge not Cedar Ridge as it should have been. In order to correct this error on staff's part and make the records of your action clear we are asking that you rescind your action of April 9, 2001, and pass a new resolution with the correct information.

Attached is a copy of the original resolution for your reference.

# Memo

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager  
John M. Lamerato, Assistant City Manager – Finance and Administration  
Jeanette Bennett, Director of Purchasing  
Gert Paraskevin, Information Services Director

Date: April 18, 2001

Re: Council Requests

All three new City Council members have completed a Council Member Request form, identifying which of the items that are normally supplied to Council they wish to obtain. In addition, they were asked to itemize any other items they are requesting. This memo is intended to inform all Council members of those additional items, and obtain approval to make them standard, so that any Council member may also obtain them.

The requested items and approximate costs are as follows:

- Scanner with one touch scan, fax and copy ability. One such model is the Visioneer 8800. Approximate cost: \$165.00
- CD-RW option for the laptops. This will replace the standard CD drive with one that will allow the creation of CDs. This would be useful to transport large files from one computer system to another and as an alternative backup method. Approximately cost: \$259.00
- Cell phone usage. Recovery of the cost for using a cell phone for city related calls. Approximate cost varies depending on the plan purchased.

April 5, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Gary A. Shripka, Assistant City Manager/Services  
Doug Smith, Real Estate and Development Director  
Dennis C. Stephens, Right of Way Representative

SUBJECT: Sale of Long Lake Remnant Parcel Section 9, Part of Lots 20,21  
and 22, Beaver Hills Subdivision

The City of Troy presently owns a parcel of land located on the northeast corner of Wright Avenue and Long Lake Road. This Parcel is an unbuildable remnant parcel containing 12,865 square feet, left from the Long Lake Road construction project, and is described as:

The West ½ of Lot 20, except the South 67 feet, and lots 21 & 22, except the South 67 feet, all in Beaver Hills Subdivision, being part of the Southeast ¼ of Section 9, T.2.N. R.11.E. City of Troy, Oakland County, Michigan. Sidwell# 88-20-09-453-021

Harrington Park Development L.L.C. would like to purchase this parcel and include it in a proposed residential condominium project. A preliminary site plan for the development was approved on Tuesday, April 10, 2001 by the Planning Commission.

The City owned parcel has been appraised at \$29,000.00 by a state licensed appraiser, and Harrington Park Development L.L.C. has signed an Offer to Purchase this parcel at the appraised value. This parcel cannot be developed as a stand-alone parcel; it is recommended by City management that City Council approve the sale to Harrington Park Development L.L.C. for the appraised value according to the attached Offer to Purchase.

DCS/pg

Attachments



4/30/01

TO: Honorable Mayor and Members of Council

FROM: Lori Grigg Bluhm, Acting City Attorney

RE: William Beaumont Hospital- Approval of Issuance of Bonds

---

William Beaumont Hospital intends to make improvements to both the Troy and also the Royal Oak facility. The proposed improvements for the Troy facility include the renovation, remodeling, installation and equipping of the anesthesia delivery system, a non-special MRT unit, an obstetrical unit and approximately 26,580 square feet of existing space that will be used for patient care rooms. In addition to these proposed improvements, the hospital also will be requesting an additional 37 license beds at the Troy facility, at a cost of approximately \$2, 114,285.

In order to finance these improvements, the hospital has requested a loan from the City of Royal Oak Hospital Finance Authority. The Authority would then issue bonds on behalf of the Hospital. However, before bonds can be issued, there must be a public approval of the issuance, sale and delivery of the bonds, pursuant to the Internal Revenue Code. Since some of the proposed improvements are located in Troy, the Authority requires a resolution from the Troy City Council. It is the recommendation of the City Attorney's office that the proposed resolution be adopted.

A public hearing regarding the Authority's proposed issuance of bonds was held on April 16, 2001. A copy of the certification of the public hearing is attached.

Representatives of William Beaumont Hospital will be in attendance at the City Council meeting to answer any additional questions.





4/30/01

TO: Honorable Mayor and Members of Council

FROM: Steve Vandette, City Engineer  
Lori Grigg Bluhm, Acting City Attorney

RE: Agreements for Widening of Maple Road

---

Pursuant to the Grand/Sakwa Consent Judgment, the City of Troy is required to widen Maple Road. The City of Troy has been working with the City of Birmingham on a joint road project to include a center left turn lane and total removal and replacement of the existing road between Coolidge and Eton. Birmingham has committed to advance construct the project now that federal funds have been allocated in 2003 and 2004.

The City of Troy would coordinate all work on the project. Therefore, the proposed agreements between the parties require Birmingham to pay 63.85% of the preliminary engineering and construction costs and 68.42% of the right-of-way acquisition costs for the project.

Attached please find three proposed agreements for the widening of Maple Road. The first agreement is for the preliminary engineering of the project. The second agreement concerns the right of way acquisition for the project. The third agreement covers the construction of the project. The Birmingham City Council authorized the execution of the proposed agreements at their April 9, 2001 City Council Meeting.

It is our recommendation that the City of Troy authorize the execution of the attached agreements. If you have any questions concerning the above, please let us know.

**AGREEMENT FOR THE PRELIMINARY ENGINEERING**  
FOR THE WIDENING OF MAPLE ROAD, FROM SOUTH ETON STREET TO COOLIDGE ROAD

THIS CONTRACT is made and entered into this date of \_\_\_\_\_, by and between the **City of Birmingham**, a Michigan municipal corporation; and the **City of Troy**, a Michigan municipal corporation; for the purpose of fixing the rights and obligations of the parties in agreeing to the performance, by the **City of Troy**, of the preliminary engineering consisting of the preparation of reports, studies, and a design public hearing, as well as the surveys and design, necessary for the construction of the following improvements which preliminary engineering is hereinafter referred to as the "PROJECT" and replaces all previous agreements between the parties for this PROJECT:

The preliminary engineering for the reconstruction and widening of Maple Road, from South Eton Street to Coolidge Road to provide a five lane pavement with curb and gutter; and all together with necessary related work.

WITNESSETH:

WHEREAS, under Federal law, grant money may be available for the performance of certain improvements on public roads; and

WHEREAS, the PROJECT, at the request of the **City of Troy**, is being Advance Constructed with the United States Department of Transportation, Federal Highway Administration, (hereinafter referred to as the "FHWA"), with Federal funds under the following Federal program:

ECONOMIC DEVELOPMENT FUND - CATEGORY "C"

WHEREAS, the **City of Troy** is willing to enter into an agreement with MDOT on behalf of the **Cities of Troy and Birmingham** for the PROJECT which is located in both the **City of Birmingham** and the **City of Troy**. It is therefore necessary to enter into this agreement for the purpose of fixing the rights and obligations of the **City of Birmingham** and the **City of Troy** for the PROJECT and;

Whereas; the parties hereto have reached an understanding with each other regarding the performance of the PROJECT and desire to set forth this understanding in the form of a written agreement.

NOW, THEREFORE, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, it is agreed:

1. The parties approve of and shall undertake and complete the PROJECT in accordance with the terms of this contract.
2. The term "PROJECT COST", as herein used, is defined as all costs necessary for the completion of the PROJECT.
3. The **City of Troy** will perform or cause to be performed all the PROJECT work. As such, the City of Troy will be responsible for paying only fifty (50) percent of the PROJECT cost for work that is located in the **City of Troy**.
4. The **City of Birmingham** will be responsible for paying one hundred (100) percent of the PROJECT cost for work that is located in the **City of Birmingham**. In addition, the **City of Birmingham** will also be responsible for paying fifty (50) percent of the PROJECT cost for work that is located in the **City of Troy**.

**AGREEMENT FOR THE PRELIMINARY ENGINEERING**  
FOR THE WIDENING OF MAPLE ROAD, FROM SOUTH ETON STREET TO COOLIDGE ROAD

As an example, Birmingham's responsibility, based only on preliminary estimates, is 63.85% of the total project cost, as set forth below:

Total Estimated Cost	Federal Aid	City of Birmingham Share	City of Troy Share
104,000	0	66,404 (63.85%)	37,596 (36.15%)

5. The project will be completed by Advance Funding the future federal funds identified in the FHWA Transportation Improvement Plan (TIP). These funds have been allocated in the 2002 TIP in the amount of \$40,000. Any items of total cost not reimbursed by Federal funds will be the responsibility of the **City of Birmingham** and the **City of Troy**, based on the proportions established in paragraph 4 of this agreement.
6. The future right-of-way acquisition and the future construction improvements for which the PROJECT work is being performed and the construction engineering work related thereto will be covered by separate agreements.
7. The **City of Birmingham** is required to make an initial deposit to the **City of Troy** in the amount of **\$66,404.00** for the PROJECT. The **City of Birmingham** shall thereafter make prompt payments of its share of the PROJECT cost upon receipt of billings from the **City of Troy**.
8. The **City of Birmingham** agrees to defend, indemnify and hold harmless the **City of Troy** and their officials, employees, volunteers and agents against any and all damages to persons or property, and claims, demands, suits, actions or proceedings of any kind or nature, including attorney fees of any kind or description, resulting from or arising out of acts, error or omissions of the **City of Birmingham**.
9. The **City of Troy** agrees to defend, indemnify and hold harmless the **City of Birmingham** and their officials, employees, volunteers and agents against any and all damages to persons or property, and claims, demands, suits, actions or proceedings of any kind or nature, including attorney fees of any kind or description (collectively "liabilities") resulting from or arising out of acts, errors or omissions of the **City of Troy**.
10. This contract is binding on the parties and of full force and effect once signed by the authorized officials for the parties. The signatures below represent that they are authorized to enter into this contract, pursuant to a resolution of the City Council or Commission, and a certified copy of said resolution shall be attached to this contract.

**AGREEMENT FOR THE PRELIMINARY ENGINEERING**  
FOR THE WIDENING OF MAPLE ROAD, FROM SOUTH ETON STREET TO COOLIDGE ROAD

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed the day and year first above written.

**City of Troy:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Tonni Bartholomew, City Clerk

**City of Birmingham:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**Approval (1.135 City Code)**

\_\_\_\_\_  
City Manager as to Substance

\_\_\_\_\_  
City Attorney as to Form

\_\_\_\_\_  
Director/Finance as to Financial Obligation

\_\_\_\_\_  
City Engineer

**AGREEMENT FOR RIGHT-OF-WAY ACQUISITION**  
FOR THE WIDENING OF MAPLE ROAD, SOUTH ETON STREET TO COOLIDGE ROAD

THIS CONTRACT is made and entered into this date of \_\_\_\_\_, by and between the **City of Birmingham**, a Michigan municipal corporation; and the **City of Troy**, a Michigan municipal corporation; for the purpose of fixing the rights and obligations of the parties in agreeing to the performance, by the **City of Troy**, of the right-of-way acquisition necessary for the construction of the following improvements which right-of-way acquisition is hereinafter referred to as the "PROJECT":

The right-of-way acquisition for the reconstruction and widening of Maple Road, from South Eton Street to Coolidge Road to provide a five lane pavement with curb and gutter; and all other necessary work related to the reconstruction and widening

WITNESSETH:

WHEREAS, the future construction work, at the request of the **City of Troy** will be programmed with the United States Department of Transportation, Federal Highway Administration, (hereinafter referred to as the "FHWA"), with Federal funds under the following Federal program:

SURFACE TRANSPORTATION FUND - URBAN

WHEREAS, the **City of Troy** will necessarily enter into a future, separate agreement, for the construction work, with the Michigan Department of Transportation (hereinafter referred to as the "MDOT"); and

WHEREAS, the MDOT desires to enter into a future agreement with only one party for the PROJECT and;

WHEREAS, the **City of Troy** is willing to enter into an agreement with MDOT on behalf of the **Cities of Troy and Birmingham** for the PROJECT which is located in both the **City of Birmingham** and the **City of Troy**. It is therefore necessary to enter into this agreement for the purpose of fixing the rights and obligations of the **City of Birmingham** and the **City of Troy** for the PROJECT and;

Whereas; the parties hereto have reached an understanding with each other regarding the performance of the PROJECT and desire to set forth this understanding in the form of a written agreement.

WHEREAS, it is necessary to acquire right-of-way to construct the work; and

NOW, THEREFORE, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, it is agreed:

1. The parties approve of and shall undertake and complete the PROJECT in accordance with the terms of this contract.
2. The term "PROJECT COST", as herein used, is defined as all costs necessary for the completion of the PROJECT.

**AGREEMENT FOR RIGHT-OF-WAY ACQUISITION**  
FOR THE WIDENING OF MAPLE ROAD, SOUTH ETON STREET TO COOLIDGE ROAD

3. The **City of Troy** will perform or cause to be performed all the PROJECT work. However, if condemnation of property within the **City of Birmingham** is necessary for the PROJECT, the **City of Birmingham** will assume the legal responsibility for acquiring said property. As consideration for the work performed on the PROJECT by the **City of Troy**, the **City of Birmingham** will be responsible for paying fifty (50) percent of all PROJECT right of way acquisition costs for property located in the **City of Troy**. The **City of Troy** will be responsible for paying the remaining fifty (50) percent of the PROJECT right of way acquisition costs for property located in the **City of Troy**.
4. The **City of Birmingham** will be responsible for paying one hundred (100) percent of the PROJECT right-of-way acquisition costs for property located in the **City of Birmingham**. The **City of Birmingham** will also assume the legal responsibility for condemning any necessary property for the PROJECT that is located within the **City of Birmingham**. In addition, the **City of Birmingham** will also be responsible for paying fifty (50) percent of the PROJECT right-of-way acquisition costs for property located in the **City of Troy**. As an example, Birmingham's responsibility, based only on preliminary estimates, is 68.42% of the total project cost, as set forth below:

Total Estimated Cost	Federal Aid	City of Birmingham Share	City of Troy Share
950,000	0	649,990 (68.42%)	300,010 (31.58%)

5. Future construction of the improvements for which the PROJECT is being performed and the construction engineering work related thereto will be covered by a separate agreement.
6. The **City of Birmingham** is required to make an initial deposit to the **City of Troy** in the amount of **\$649,990.00** for the PROJECT. The **City of Birmingham** shall thereafter make prompt payments of its share of the PROJECT cost upon receipt of billings from the **City of Troy**.
7. The **City of Birmingham** agrees to defend, indemnify and hold harmless the **City of Troy** and their officials, employees, volunteers and agents against any and all damages to persons or property, or claims, demands, suits, actions or proceedings of any kind or nature, including attorney fees of any kind or description, resulting from or arising out of acts, errors or omissions of the **City of Birmingham**.
8. The **City of Troy** agrees to defend, indemnify and hold harmless the **City of Birmingham** and their officials, employees, volunteers and agents against any and all damages to persons or

property, or claims, demands, suits, actions or proceedings of any kind or nature, including attorney fees of any kind or description, resulting from or arising out of acts, errors or omissions of the **City of Troy**.

9. This contract is binding on the parties and of full force and effect once signed by the authorized officials for the parties. The signatures below represent that they are authorized to enter into this contract, pursuant to a resolution of the City Council or Commission, and a certified copy of said resolution shall be attached to this contract.

### **AGREEMENT FOR RIGHT-OF-WAY ACQUISITION**

FOR THE WIDENING OF MAPLE ROAD, SOUTH ETON STREET TO COOLIDGE ROAD

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed the day and year first above written.

#### **City of Troy:**

---

Jeanne Stine, Mayor

---

Tonni Bartholomew, City Clerk

---

---

#### **City of Birmingham:**

---

Mayor

---

City Clerk

#### **Approval (1.135 City Code)**

---

City Manager as to Substance

---

City Attorney as to Form



---

Director/Finance as to Financial Obligation

---

City Engineer

**AGREEMENT FOR THE CONSTRUCTION**  
FOR THE WIDENING OF MAPLE ROAD, FROM SOUTH ETON STREET TO COOLIDGE ROAD

THIS CONTRACT is made and entered into this date of \_\_\_\_\_, by and between the **City of Birmingham**, a Michigan municipal corporation; and the **City of Troy**, a Michigan municipal corporation; for the purpose of fixing the rights and obligations of the parties in agreeing to the following improvements in the **City of Troy**, hereinafter referred to as the "PROJECT":

The reconstruction and widening of Maple Road, from South Eton Street to Coolidge Road to provide a five lane pavement with curb and gutter; and all together with necessary related work, including Construction Engineering.

WITNESSETH:

WHEREAS, under federal law, grant money may be available, for the performance of certain improvements on public roads; and

WHEREAS, the PROJECT, at the request of the **City of Troy**, is being Advance Constructed with the United States Department of Transportation, Federal Highway Administration, (hereinafter referred to as the "FHWA"), with Federal funds under the following Federal program:

SURFACE TRANSPORTATION FUND - URBAN

WHEREAS, the **City of Troy** will necessarily enter into a future, separate agreement, for the construction work, with the Michigan Department of Transportation (hereinafter referred to as the "MDOT"); and

WHEREAS, the MDOT desires to enter into a future agreement, with only one party, for the PROJECT and;

WHEREAS, the **City of Troy** is willing to enter into an agreement with MDOT on behalf of the **Cities of Troy and Birmingham** for the PROJECT which is located in both the **City of Birmingham** and the **City of Troy**. It is therefore necessary to enter into this agreement for the purpose of fixing the rights and obligations of the **City of Birmingham** and the **City of Troy** for the PROJECT and;

Whereas; the parties hereto have reached an understanding with each other regarding the performance of the PROJECT and desire to set forth this understanding in the form of a written agreement.

NOW, THEREFORE, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, it is agreed:

1. The parties approve of and shall undertake and complete the PROJECT in accordance with the terms of this contract.
2. The term "PROJECT COST", as herein used, is hereby defined as all costs necessary for the completion of the PROJECT, including, but not limited to Construction Engineering.
3. The **City of Troy** will perform or cause to be performed all the PROJECT work. As such, the **City of Troy** will be responsible for paying only fifty (50) percent of the PROJECT cost for work that is located in the **City of Troy**.

**AGREEMENT FOR THE CONSTRUCTION**

FOR THE WIDENING OF MAPLE ROAD, FROM SOUTH ETON STREET TO COOLIDGE ROAD

4. The **City of Birmingham** will be responsible for paying one hundred (100) percent of the PROJECT cost for work that is located in the **City of Birmingham**. In addition, the **City of Birmingham** will also be responsible for paying fifty (50) percent of the PROJECT cost for work that is located in the **City of Troy**. As an example, Birmingham's responsibility, based only on preliminary estimates, is 63.85% of the total project cost, as set forth below:

Total Estimated Cost	Federal Aid	City of Birmingham Share	City of Troy Share
2,508,000	0	1,601,358 (63.85%)	906,642 (36.15%)

5. The project will be completed by Advance Funding the future federal funds identified in the FHWA Transportation Improvement Plan (TIP). These funds have been allocated in the 2003 TIP in the amount of \$908,000 and in the 2004 TIP in the amount of \$1,092,000. Any items of total cost not reimbursed by Federal funds will be the responsibility of the **City of Birmingham** and the **City of Troy**, based on the proportions established in paragraph 4 of this agreement.
6. The **City of Birmingham** is required to make an initial deposit to the **City of Troy** in the amount of **\$713,606.00** for the PROJECT. A second deposit for the PROJECT, in the amount of **\$887,752**, will be made on or before July 15, 2002. The **City of Birmingham** shall thereafter make prompt payments of its share of the PROJECT cost upon receipt of billings from the **City of Troy**.
7. A person(s) or entity(ies) performing work on the project shall conform with the MDOT/FHWA requirements.
8. The **City of Birmingham** agrees to defend, indemnify and hold harmless the **City of Troy** and their officials, employees, volunteers and agents against any and all damages to persons or property or claims, demands, suits, actions or proceedings of any kind or nature, including attorney fees of any kind or description resulting from or arising out of acts, errors or omissions of the **City of Birmingham**.
9. The **City of Troy** agrees to defend, indemnify and hold harmless the **City of Birmingham** and their officials, employees, volunteers and agents against any and all damages to persons or property or claims, demands, suits, actions or proceedings of any kind or nature, including attorney fees of any kind or description resulting from or arising out of acts, errors or omissions of the **City of Troy**.
10. This contract is binding on the parties and of full force and effect once signed by the authorized officials for the parties. The signatures below represent that they are authorized to enter into this contract, pursuant to a resolution of the City Council or Commission, and a certified copy of said resolution shall be attached to this contract.

**AGREEMENT FOR THE CONSTRUCTION**

FOR THE WIDENING OF MAPLE ROAD, FROM SOUTH ETON STREET TO COOLIDGE ROAD

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed the day and year first above written.

**City of Troy:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Tonni Bartholomew, City Clerk

**City of Birmingham:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**Approval (1.135 City Code)**

\_\_\_\_\_  
City Manager as to Substance

\_\_\_\_\_  
City Attorney as to Form

\_\_\_\_\_  
Director/Finance as to Financial Obligation

\_\_\_\_\_  
City Engineer

## **BOARDS AND COMMITTEES VACANCIES**

The appointment of new members to all of the listed board and committee vacancies will require only one motion and vote by City Council. Council members submit recommendations for appointment. When the number of submitted names exceed the number of positions to be filled, a separate motion and roll call vote will be required (current process of appointing). Any board or commission with remaining vacancies will automatically be carried over to the next Regular City Council Meeting Agenda.

The following boards and committees have expiring terms and/or vacancies. Bold red lines indicate the number of appointments required:

### **Advisory Committee for Persons with Disabilities**

[Appointed by Council \(9\) - 3 years](#)

Term Expires 11-01-2003

Alternate Term Expires 11-01-2003

Alternate Term Expires 11-01-2003

PHONE	NAME	ADDRESS	TERM EXPIRES
689-9098	Mary Ann Butler ( <i>Alternate</i> )	1060 Glaser, 98	<b>Nov. 1, 2003</b>
649-3542 248-816-1900 B	Sharon M. Connelly	1638 Martinique, 84	<b>Nov. 1, 2002</b>
248-526-3088 B	Philip D'Anna	5149 Westmoreland, 98	<b>Nov. 1, 2001</b>
689-1457	Angela Done	2304 Academy, 83	<b>Nov. 1, 2002</b>
740-8983	Nancy Johnson	1461 Lamb, 98	<b>Nov. 1, 2003</b>
813-9575 258-2500B	Leonard Bertin	5353 Rochester, 98	<b>Nov. 1, 2002</b>
641-7764 313-496-2686 B	Dick Kuschinsky	5968 Whitfield, 98	<b>Nov. 1, 2001</b>
680-1233	Theodora House	301 Belhaven, 98	<b>Nov. 1, 2003</b>
528-3133 248-696-2140 B	Nancy Sura, Ch	1436 Welling, 98	<b>Nov. 1, 2001</b>
740-1231	Shreyas Patel ( <i>Student</i> )	43 Crestfield, 98	<b>July 1, 2001</b>
<b>VACANT</b>			<b>Nov. 1, 2003</b>
<b>VACANT</b>	Alternate		<b>Nov. 1, 2003</b>
<b>VACANT</b>	Alternate		<b>Nov. 1, 2003</b>

## Advisory Committee for Senior Citizens

Appointed by Council (9) - 3 years

\_\_\_\_\_ Vacant Term expires 04-30-2002

\_\_\_\_\_ Term expires 04-30-2004

\_\_\_\_\_ Term expires 04-30-2004

\_\_\_\_\_ Term expires 04-30-2004

PHONE	NAME	ADDRESS	TERM EXPIRES
646-3267	Steven M. Banch	2731 W. Wattles, 98	Apr. 30, 2001
524-3842	Amelia Bayley (Deceased)	1629 Jackson, 83	Apr. 30, 2002
643-0158	Jane Crowe	1984 Muer, 84	Apr. 30, 2001
879-2887	Merrill W. Dixon	5974 Diamond, 98	Apr. 30, 2003
689-6572	Ed Forst	2731 Dover, 83	Apr. 30, 2001
879-6433	Marie Hoag	6408 Vernmoor, 98	Apr. 30, 2003
879-9314	Lawrence F. Jose	5581 Livernois, 98	Apr. 30, 2003
689-2210	David S. Ogg	3951 Forge, 48083	Apr. 30, 2002
689-2741	Josephine Rhoads	4226 Gatesford, 98	Apr. 30, 2002

Attendance: Banch 10 meetings, 5 absences  
Crowe 10 meetings, 1 absence  
Forst 10 meetings, 0 absences

## Board of Zoning Appeals

Appointed by Council (7) - 3 years

Vacant Term expires 04-30-2002

Term expires 04-30-2004

Term expires 04-30-2004

PHONE	NAME	ADDRESS	TERM EXPIRES
879-1733	Kenneth L. Courtney Ch	P O Box 53, Troy, 48099-0053	Apr. 30, 2001
828-4361	Christopher Fejes	6475 Elmoor, 98	Apr. 30, 2003
528-0737	James Giachino (Resigned)	2742 Rhodes, 83	Apr. 30, 2002
649-2115	Mark Maxwell	4164 Wentworth 98	Apr. 30, 2002
643-0859	Carmelo P. Milia	3911 Boulder, 84	Apr. 30, 2001
641-7582	Michael Hutson	2396 Ridge, 98	Apr. 30, 2003
879-8529	Walter A. Storrs III (Plng. Rep)	5676 Martell, 98	Dec. 31, 2001
642-9737	David Waller (Alt. Plng Rep)	2921 Townhill, 84	Dec. 31, 2001

Attendance: Courtney Present at all meetings in 2000  
Milia – Does not want to be reappointed

## Brownfield Redevelopment Authority

Mayor, Approved by Council (7)- 3 years

Vacant Term expires 04-30-2003

Term expires 04-30-2004

Term expires 04-30-2004

PHONE	NAME	ADDRESS	TERM EXPIRES
641-8123	Arthur Cotsonika	5299 Beach, 98	Apr. 30, 2003
649-4274 641-8129B	Gary R. Lepp (Resigned)	1227 Autumn, 98	Apr. 30, 2003
680-0400	Bruce J. Wilberding	3762 Boulder, 84	Apr. 30, 2001
879-0967	Victor Lenivov	1929 Hopedale Dr., 98	Apr. 30, 2001
879-8686 680-6583B	Leon E. Sowell	5845 Glasgow Ct., 98	Apr. 30, 2002
643-4433	Robert D. Swartz	3616 Balfour Dr., 84	Apr. 30, 2002
641-8511	Kenneth F Wheeler	5355 Beach Rd, 98	Apr.30, 2002

Attendance: Lenivov Present at all 4 meetings in 2000  
Wilberding Present at all 4 meetings in 2000

## CATV Advisory Committee

Appointed by Council (7) - 3 years

Term Expires 2-28-2004

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
879-8657	Jerry L. Bixby	6228 Crooks, 98	Feb. 28, 2003
689-3430	Michael J Farrug	6781 Little Creek Ct., 98	Nov. 30, 2002
689-2528	Richard Hughes	1321 Roger Ct., 83	Feb. 28, 2003
952-5122	Kyleen Krstich (Student)	2033 Sundew, 98	July 01, 2001
828-8034	Robert I. Mitchell, II Ch.	6466 Parkview, 98	Feb. 28, 2001
643-8250	Frank Smith	2020 Dorchester #103, 84	Feb. 28, 2004
689-8176	Alex Bennett	1065 Arthur, 83	Sept. 30, 2003
649-6578	Bryan H. Wehrung	3860 Edgemont, 84	Feb. 28, 2002

Attendance: Mitchell 4 Meetings, present at three



## Charter Revision Committee

Appointed by Council (7) - 3 years

Term expires April 30, 2004

Term expires April 30, 2004

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
879-9449	Lillian Barno	1500 Three Lakes, 98	Apr. 30, 2003
649-6090 B	Daniel H. Bliss	3552 Edgemont, 84	Apr. 30, 2003
643-6820	Elio Eusebi	3771 Woodman, 84	Apr. 30, 2001
689-9463	Shirley Kanoza	2317 Niagara, 83	Apr. 30, 2001
540-1606	Robert Noce	2850 Orchard Trail, 98	Apr. 30, 2003
649-2018	Mark R. Solomon	2109 Golfview, #102, 84	Apr. 30, 2002
588-5619	Cynthia A. Wilsher	369 E. Maple, 83	Apr. 30, 2002

Attendance: Eusebi 2 meetings, present at both  
Kanoza 2 meetings, present at both

## Downtown Development Authority

Mayor, Approved by Council (12) - 4 years

Matt Pryor

Term Expires 9-30-2002

**Mayor is appointed to serve on DDA as the representative of the City.**

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
354-9770	Garry G. Carley	Heathers Club 900 Upper Scotsborough Way Bloomfield Hills, 48304	Sept. 30, 2001
879-2450	Philip Goy	380 Tara, 98	Sept. 30, 2001
879-6439 526-0576B	William Kennis	249 W. Hurst, 98	Sept. 30, 2002
680-7180	Alan M. Kiriluk , Ch	101 W. Big Beaver, Ste.200, 84	Sept. 30, 2003
827-4600	G. Thomas York	Forbes/Cohen-100 Galleria Office Center, Ste. 427, Southfield, 48037	Sept. 30, 2003
524-3244	Daniel MacLeish	650 E. Big Beaver, Ste. F, 84	Sept. 30, 2001
258-5734 689-1200 B	Clarke B. Maxson	1091 Oxford, Birmingham 48009 Office 201 W. Big Beaver Ste. 125, Troy 84	Sept. 30, 2003
879-8695	Carol A. Price	6136 Sandshores, 98	Sept. 30, 2003
879-6033	Ernest C. Reschke	6157 Walker, 98	Sept. 30, 2002
649-2924	Stuart Frankel	3221 W. Big Beaver, Ste. 106, 84	Sept. 30, 2003
952-1952H 391-3777B	Michael W. Culpepper	1236 Autumn Dr.,98	Sept. 30, 2003
879-2646 H 689-6555 B	Douglas J. Schroeder	2783 Homewood Dr., 98	Sept. 30, 2002
643-6215	Jeanne M. Stine	1915 Boulan, 84	Sept. 30, 2002

## Economic Development Corporation

Mayor, Approved by Council (9) - 6 years

Term Expires 4-30-2007

PHONE	NAME	ADDRESS	TERM EXPIRES
879-5725H 313-225-9095B	Kenneth Bluhm	6187 Brittany Tree, 98	Apr. 30, 2006
641-7676 H 362-3600 B	Robert S. Gigliotti	2381 Hidden Pine, 98	Apr. 30, 2002
879-9104 H 524-3364 B	Laurence Keisling	6321 Sandshores, 98	Apr. 30, 2005
524-0877 H 524-3311 B	Leger (Nino) Licari	4533 Post, 98	Apr. 30, 2004
643-0332 H 739-4254 B	Michael Parker	2524 Kingston, 84	Apr. 30, 2001
641-7339H 879-0500B	Stuart F. Redpath	1679 Greenwich, 98	Apr. 30, 2003
952-5709 H 575-8719B	Nelson Ritner	5527 Whitfield, 98	Apr. 30, 2003
689-7235	Charles Salgat, Ch	20651 Winter, 83	Apr. 30, 2004
362-5385 H 540-2300 B	John Sharp	3362 Muerknoll, 84	Apr. 30, 2003

## Library Board

Appointed by Council (5) - 3 years

Term expires April 30, 2004

Term expires April 30, 2004

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
643-7152H 313-226-8614B	David Cloyd	1737 Chatham Dr., 84	Apr. 30, 2003
689-6735	Margaret Gaffney	2467 London, 98	Apr. 30, 2002
641-0248	Michael Gladysz (Student)	4633 Riverchase, 98	Dec. 31, 2001
689-2623	Lynne R. Gregory	2244 Niagara, 83	Apr. 30, 2001
879-8045	Fern Nelsen	2567 Coral, 98	Apr. 30, 2002
641-8511	Nancy D. Wheeler, Pres.	5355 Beach, 98	Apr. 30, 2001

Attendance      Gregory – Present at all meetings  
                         Wheeler – Absent for 5 meeting 11/99 through 10/00

## Planning Commission

Mayor, Approved by Council (9) - 6 years

Vacant Term Expires 12-31-2002

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
828-1775	Robin Beltramini, (Resigned)	6564 Parkview, 98	Dec. 31, 2002
524-9850	Gary G. Chamberlain	4850 Alton, 98	Dec. 31, 2002
689-1849	Jordan C. Keoleian (Student)	3709 Kings Point Dr, 83	July 01, 2001
952-5588 H 435-1712 B	Dennis A. Kramer	1903 Spiceway, 98	Dec. 31, 2003
879-8877H 649-1150B	Larry Littman	6867 Killarney, 98	Dec. 31, 2001
689-3722	James E. Reece, Jr.	2915 Hill, 98	Dec. 31, 2001
524-2285	James H. Starr	2643 Arrowhead, 83	Dec. 31, 2002
879-8529	Walter A. Storrs, III	5676 Martell, 98	Dec. 31, 2003
642-9737	David T. Waller	2921 Townhill, 84	Dec. 31, 2003
641-7115 H 775-7710 B	Wayne C. Wright	2525 Homewood, 98	Dec. 31, 2001

## Traffic Committee

Appointed by Council (79) - 3 years

Vacant Term Expires 12-31-2002

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
649-2319	David Allen ( <b>Student</b> )	3755 Ledge Ct., 84	July 01, 2001
828-7032H (800)262-6285B	David A. Lambert(Resigned)	1188 Player Dr., 98	Jan. 31, 2003
879-0103	John Diefenbaker	5697 Wright, 98	Jan. 31, 2003
689-1223	Lawrence Halsey	663 Vanderpool, 83	Jan. 31, 2003
689-9401H (313)665-4284B	Jan L. Hubbell	1080 Glaser, 98	Jan. 31, 2002
524-1595	Richard A. Kilmer	62 Hickory, 83	Jan. 31, 2002
689-0217H 223-2303B	Michael Palchesko	36 Randall, 98	Jan. 31, 2002
524-9062H 689-2920B	Charles A. Solis, Ch.	1866 Crimson, 83	Jan. 31, 2003
524-3379	John Abraham	Traffic Engineer	(Ex-officio)
524-3443	Charles Craft	Police Chief	(Ex-officio)
524-3419	William Nelson	Fire Chief	(Ex-officio)

April 16, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Jeanette Bennett, Purchasing Director  
Peggy E. Clifton, Human Resources Director

Subject: Bid Waiver -  
Hay Group Annual Update to Salary Structure and Pay Plan for Classified  
and Exempt Employees

### **RECOMMENDATION**

The Human Resources Department recommends the City continue the ongoing support of the Hay Group to conduct annual market surveys and update the Pay Plan for Classified and Exempt Employees for fiscal year 2001.

The estimated cost of the contract is \$15,000 which is available from the Human Resources Department budget.

### **BACKGROUND**

The Hay Group was initially awarded the contract to provide a comprehensive evaluation of the classification and compensation system for the City of Troy Classified and Exempt positions on March 2, 1998 pursuant to a formal RFP process (Resolution #98-123).

On August 16, 1999, City Council approved the Salary Structure and Pay Plan resulting from this study as recommended by the Hay Group (Resolution No. 99-375), and also retained the Hay Group for a Pay Plan administration plan (to conduct the first annual market survey and update the Pay Plan for fiscal year 2000, Resolution No. 99-378).

Approval is requested to continue the Pay Plan administration plan and proceed with the next annual update for the fiscal year 2001. This will assure that the salary structure and pay levels are fair and competitive. Additionally, this makes sense procedurally since to not continue with the Hay method would necessitate a new bidding process for a completely new pay administration system.

### **BUDGET**

Funds are budgeted in the Human Resources Department account number 227.7816.

April 11, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Gary Shripka, Assistant City Manager/Services  
Laurence G. Keisling, Planning Director

SUBJECT: PRELIMINARY PLAT-TENTATIVE APPROVAL – Abbotsford Parc  
Subdivision – South Side of Abbotsford, West of John R – Section 11

This proposed Subdivision, consisting of 9 Lots and a detention basin site within a 3.2 two-acre parcel, lies south of Abbotsford Avenue, west of John R Road, in the area south of Square Lake Road. The proposed street system consists of a single street extending south from Abbotsford to the south edge of the property. One of the questions which was extensively discussed in the course of consideration of this matter by the staff and the Planning Commission was the configuration of the south end of the proposed street facility. The configuration, now recommended by City Management and by the Planning Commission is a "half cul-de-sac", similar to those which were constructed as a part of the Morel East Subdivision in the area south of Big Beaver, west of Dequindre. The northerly portion of the cul-de-sac bulb can then reasonably serve as a temporary turn-around. Potential expansion of the cul-de-sac bulb in the future will provide frontage for 3 Lots within the property immediately to the south. (See the enclosed Alternate Plan "A", dated March 27, 2001). The proposed Subdivision has approximately 240 feet of frontage on Abbotsford Avenue, which is presently a gravel street. The east edge of the site lies approximately 150 feet west of John R Road. The City's Development Standards presently require the construction of a full 28-foot wide pavement across the frontage of the proposed Subdivision, but do not require paving of the intervening section between the proposed Subdivision and John R. Road. As a reasonable alternative, the plat proposes the construction of a 25-foot wide pavement across the total distance from the west Subdivision boundary to John R Road. The proposed road cross-section would not include a curb and gutter section on the north side. This approach is similar to the 22-foot wide "half-street" standard which the City has previously required in locations such as the southerly portion of Finch Road, and Norton Street, south of South Boulevard, where new Subdivisions were developed along one side of gravel streets. The other subject which was most extensively discussed in the course of review of this proposed Subdivision was the existing and proposed drainage situations in the area. Cross-sections D-D and E-E were included on the plat drawing in response to concerns as to the proposed grading, particularly in the southwest portion of the property where a substantial poorly-drained area presently holds considerable water during and after rainstorms. These Sections indicate the matching of grades at the property boundaries and the provision of drainage swales along those boundaries.

This proposed Subdivision is to be developed through very minor use of the Lot-averaging provisions applicable to the subject R-1C Zoning District. A shallow-sloped unfenced stormwater detention basin will be accessible by way of a service drive from Abbotsford, and will ultimately be conveyed to the City for maintenance, along with a maintenance deposit. The City's interim natural features consultant has determined

that there are no regulated wetlands on this property. Approval of this Tentative Preliminary Plat is recommended by City Management.

The Planning Commission considered this matter at their February 13<sup>th</sup> Regular Meeting, their February 27<sup>th</sup> Study Meeting, their March 13<sup>th</sup> Regular Meeting, and finally at the March 27<sup>th</sup> Study Meeting. During that time, considerable discussion occurred relative to street pattern and drainage matters, in part encouraged by the enclosed correspondence from area property owners. Previous to their March 27<sup>th</sup> Study Meeting, the Commission received the enclosed memorandum of March 22<sup>nd</sup> from the City Engineer, indicating acceptance of the proposed storm water management plan. The Commission ultimately took action to recommend approval of the Tentative Preliminary Plat in the form now presented (involving the proposed half cul-de-sac street configuration.) It should be noted that, although there was discussion about the placement of a landscape screen along the south edge of the proposed street facility, such screening was not specifically included in the Planning Commission's recommendation. (See enclosed excerpt from March 27 Planning Commission Minutes.) If the City Council wishes to include such a feature, the planting screen area should be at least five feet in width, resulting in a five-foot offset between the south edge of the pavement and the south property line.

In summary, it is the recommendation of both the City Management and the Planning Commission that Tentative Approval be granted to the Preliminary Plat of Abbotsford Parc Subdivision (9 Lots).

cc: Steve Vandette, City Engineer  
Bill Need, Public Works Director  
Tonni Bartholomew, City Clerk

Enclosures

April 11, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Charles Craft, Chief of Police  
Gary Mayer, Police Captain  
George Zielinski, Police Sergeant

SUBJECT: Application for Class C license transfer by **Housefield, L.L.C. (Take Five)**

**Housefield, L.L.C. (Take Five)** has requested to transfer ownership of 1999 Class C licensed business, currently in escrow, from **Blakeney's Ranch House, Inc.**; and transfer location from 28333 Grand River, Farmington Hills, to 1941 W. Maple, Troy. MCL 436.1531(1) permits transfer of a liquor license within the same (Oakland) county.

The Liquor Advisory Board recommended approval of this application at its April 9th meeting. Present at that meeting to answer questions from the Board was Mr. Makoto Ieda, owner of Housefield, LLC. Mr. Ieda states he would like to open a small English Pub type restaurant in the Wall-Mart Plaza, which is still under construction.

The police department's background investigation of Mr. Ieda and Housefield, LLC, revealed no history of liquor violations or criminal activity. Consequently, we have no objection to this transfer.



LCC  
Liquor Licensee History

Business name:       **Take Five**

Address:               1941 W. Maple Rd.

Licensee:              Housefield, L.L.C.

License type:         Class C

Permits:

Comments:            Makoto Ieda, Owner

---

Troy				
Date	Incident #	Type	Disposition	Date

---

---

## **AGREEMENT REGARDING LIQUOR LICENSE REQUEST**

This Agreement, made this \_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_, by and between the CITY OF TROY, MICHIGAN, a municipal corporation, with offices located at 500 W. Big Beaver Road, Troy, Michigan, 48084, hereinafter known as THE CITY, and HOUSEFIELD, L.L.C., whose address is 1941 W. Maple, Troy, MI 48084, the Applicant, hereinafter known as APPLICANT.

1. The City Council of the City of Troy, for and in consideration of the following covenants and conditions, agrees to recommend to the Michigan Liquor Control Commission Approval of the transfer of ownership of 1999 Class C licensed business, from Blakeney's Ranch House, Inc., to HOUSEFIELD, L.L.C.
2. In consideration of the City of Troy's recommendation for approval of the transfer, the applicant hereby agrees that:
  - a) It has read and is aware of the provisions of City of Troy Ordinances, Chapter No. 68 and Chapter No. 98, and agrees that it shall be deemed to have knowledge of any subsequent amendments to said Chapters which may become effective during the term of this agreement.
  - b) It has read and is in receipt of copies of the provisions of the City of Troy, City Council Resolution No. 93-1028, and agrees that it shall be deemed to have knowledge of any subsequent amendments to the Resolution which may become effective during the term of this agreement.
  - c) It agrees to observe and comply with all laws, statutes, ordinances, rules, regulations or resolutions of the United States government, State of Michigan, and the City of Troy, or any department or agency of the governmental entities, as well as the rules and regulations of the Michigan Liquor Control Commission as they pertain to the operation of a liquor licensed business in the City of Troy.
3. Applicant agrees that the recommendation for Approval agreed upon by the City Council is not a property right and is approved upon the express and continuing condition that no violation as set forth in paragraph 2 of this agreement shall occur.
4. Applicant agrees that the recommendation for Approval agreed upon by the City Council is approved upon the express and continuing condition that the physical characteristics (including but not limited to the inside layout, building design and engineering, seating capacity, parking space allocations, fire exits, and other physical attributes); and also the nature and type of business intended to be conducted remain virtually the same.
5. Applicant agrees that upon such violation, after full investigation and an opportunity for said applicant to be heard, upon a finding by the City Council that a violation as set forth in paragraph 2 of this agreement has occurred, the

City Council shall have just cause for revocation of said recommendation for approval.

\_\_\_\_\_  
Makoto Ieda

HOUSEFIELD, L.L.C.

Witnesses:

\_\_\_\_\_

\_\_\_\_\_

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_

\_\_\_\_\_

Notary Public, \_\_\_\_\_  
County, \_\_\_\_\_  
My commission expires:

CITY OF TROY

By: \_\_\_\_\_  
Jeanne M. Stine, Mayor

By: \_\_\_\_\_  
Tonni Bartholomew, City Clerk

Witnesses:

\_\_\_\_\_

\_\_\_\_\_

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_

---

Notary Public, Oakland  
County, Michigan  
My commission expires:

April 11, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Charles Craft, Chief of Police  
Gary Mayer, Police Captain  
George Zielinski, Police Sergeant

SUBJECT: Application for Class C license transfer by **Café Sushi, L.L.C.**

**Café Sushi, L.L.C.** has requested to transfer ownership of 1998 Class C licensed business, currently in escrow, from **Roy's Lounge, Inc.**; and transfer location from 1536 Crooks, Clawson, MI 48017, to Suite 5D, 1933 W. Maple, Troy. MCL 436.1531(1) permits transfer of a liquor license within the same (Oakland) county.

The Liquor Advisory Board recommended approval of this application at its April 9th meeting. Present at that meeting to answer questions from the Board was Mr. Shigeru Yamada, Mr. Fari Sanatgar, Mr. George Nakashima (Architect), and Mr. Terence Jolly (Attorney), from Café Sushi, LLC. Mr. Yamada states his proposed restaurant will be a high scale Japanese Steak House with limited hours, in the Wall-Mart Plaza, which is still under construction. Mr. Yamada owns the Cherry Blossom Japanese Steak House in Novi.

The police department's background investigation of Mr. Yamada, Mr. Sanatgar, and the business revealed no history of liquor violations or criminal activity. Consequently, we have no objection to this transfer.

LCC  
Liquor Licensee History

Business name: **Café Sushi**

Address: 1933 W. Maple Rd. 5D

Licensee: Café Sushi, L.L.C.

License type: Class C

Permits: Entertainment, Outdoor Service

Comments: Shigeru Yamada, Fari Sanatgar, and Yoshihiro Nakashima, Owners

---

Troy				
Date	Incident #	Type	Disposition	Date

---

---



4/30/01

TO: Honorable Mayor and Members of Council

FROM: John Szerlag, City Manager  
Lori Grigg Bluhm, Acting City Attorney

RE: Grand/ Sakwa Consent Judgment Amendments

---

Enclosed please find the First Amendment to the First Amended and Restated Consent Judgment in the Grand/ Sakwa v. City of Troy case. There are two modifications included in this proposed Amendment.

First, Grand/ Sakwa has requested a modification to the allowable height restrictions for the residential buildings. The proposed revision allows Grand/ Sakwa an additional 3 feet 8 inches in height.

Second, the time for the construction of the Maple Road improvements has been delayed. There have been some unexpected delays in completing the road construction, which is due in part to extended negotiations with the City of Birmingham. In addition, the Road Commission for Oakland County has requested that the Maple Road project be delayed until the Big Beaver Road project is completed.

It is our recommendation that the attached First Amendment to the First Amended and Restated Consent Judgment be approved.

If you have any questions concerning the above, please let us know.

STATE OF MICHIGAN  
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

GRAND/SAKWA PROPERTIES, INC.,  
A Michigan corporation,

Plaintiff,

Vs.

Case No. 99-012144 CH  
HON. Wendy L. Potts

CITY OF TROY, A Michigan  
Municipal corporation,

Defendant.

\_\_\_\_\_/

Robert A. Jacobs (P15402)  
Richard D. Rattner (P19249)  
John W. Griffen, Jr. (P14375)  
WILLIAMS, WILLIAMS, RUBY & PLUNKETT, P.C.  
Attorneys for Plaintiff  
380 North Old Woodward Ave., Ste. 300  
Birmingham, MI 48009  
(248) 642-0333

CITY OF TROY  
CITY ATTORNEY'S OFFICE  
Lori Grigg Bluhm (P46908)  
Attorney for Defendant  
500 W. Big Beaver Rd.  
Troy, MI 48084  
(248) 524-3320

FIRST AMENDMENT TO THE FIRST AMENDED AND RESTATED CONSENT  
JUDGMENT

The parties, GRAND/SAKWA PROPERTIES, INC., Plaintiff, and THE CITY OF TROY, Defendant, agree to amend the First Amended and Restated Consent Judgment for the following reasons:

- A. On May 3, 1999, a Consent Judgment was entered in the Oakland County Circuit Court, disposing of a lawsuit concerning approximately 77 acres of land located on the southwest quadrant of the intersection of Maple Road and Coolidge Highway in the City of Troy, Oakland County, Michigan, as is more fully described in Exhibit A.



- B. On June 2, 2000, a First Amended and Restated Consent Judgment was entered by this Honorable Court, and was recorded in Liber 21665, Page 516, Oakland County Records. This First Amended and Restated Consent Judgment resolved additional issues between the parties that arose after the entry of the initial Consent Judgment.
- C. Additional issues have been negotiated between the parties, which require an amendment of the First Amended and Restated Consent Judgment.
- D. Pursuant to paragraph 24(k) of the First Amended and Restated Consent Judgment, the height of any residential building on the site could not exceed 37 ½ feet. GRAND/SAKWA has requested the height limitation for residential buildings to be 41 feet six inches.
- E. Pursuant to paragraph 9 (A), the specified Maple Road Improvements, from Coolidge Highway to the City of Troy boundary, are required to be designed and constructed in the year 2001. The CITY OF TROY requests that the road construction be permitted to commence and be substantially completed in 2002.
- F. The parties desire to further amend the First Amended and Restated Consent Judgment to allow modifications in paragraph 24(k) and 9(A).

NOW THEREFORE, IT IS HEREBY ORDERED:

1. This First Amendment shall amend the First Amended and Restated Consent Judgment only to those matters expressly set forth in this First Amendment. All other provisions of the First

Amended and Restated Consent Judgment shall remain unchanged and in full force and effect.

2. Paragraph 9 (A) shall be amended as follows:

A. Maple Road Improvements from Coolidge Highway to the City Boundary, which shall consist of the following:

1. Remove and replace the two south lanes.
2. Provide a new fifth lane.
3. Provide right turn lane on south side of Maple Road for eastbound Maple Road to southbound Coolidge Highway.
4. Extend existing right turn lane for westbound Maple Road to northbound Coolidge Highway.
5. Provide a traffic signal at the Property drive on Maple Road, the cost of which is included in Plaintiff's share of the costs as set forth below. Maintenance of the traffic signal shall be paid for by Plaintiff.
6. Replace existing water main.
7. The City shall use its best efforts to maintain reasonable access to the Property during construction of the road improvements.
8. The design, construction, and construction engineering shall be the responsibility of the City, and shall be commenced as soon as possible.
9. Construction of the road improvements shall commence no later than the year 2002, and shall be substantially completed during calendar year 2002.

3. Paragraph 24(k) shall be amended as follows:

- k. Building heights shall be limited as follows: Retail buildings shall not exceed 45 feet in height at the peak of any architectural detail including penthouse equipment except the arch tower which may be 55 feet in height; any cinema building shall not exceed 50 feet in height at the peak of any architectural detail including penthouse equipment; and any residential building shall not exceed 41 feet six inches, as computed in accordance with the attached cross section, revised Exhibit O. These height limitations shall further be subject

to the height controls related to Oakland Troy Airport, as contained in City, State, and Federal Regulations.

4. The terms and conditions of this First Amendment shall run with the land, and shall be binding upon and inure to the benefit of the parties, their officers, partners, employees, representatives, heirs, successors and assigns, and all others acting under their direction and control.
5. This Court shall continue to retain jurisdiction of this matter to enforce the provisions of this First Amended and Restated Consent Judgment and the First Amendment.
6. A certified copy of this First Amendment shall be recorded in the office of the Register of Deeds for the County of Oakland, Michigan, in regard to the Property described herein, and the Register of Deeds is directed to accept the same for recording.

---

HON. WENDY L. POTTS  
OAKLAND CO. CIRCUIT COURT JUDGE

Approved as to form and Content:

---

Robert A. Jacobs (P15402)  
Attorney for Plaintiff

---

Lori Grigg Bluhm (P46908)  
Attorney for Defendant



4/30/01

TO: Honorable Mayor and Members of Council

FROM: Lori Grigg Bluhm, Acting City Attorney

RE: Champps- Request to Reconsider Action Regarding Liquor License

---

Enclosed please find a request from Champps Americana concerning their liquor license. As you are aware, at the February 26, 2001 liquor hearings, the Troy City Council temporarily objected to the renewal of the Class C liquor license. This objection was designed only to temporarily suspend the liquor license for a thirty day period of time. Champps now requests the City Council rescind the earlier vote, objecting to the renewal of the liquor license. Since the current liquor license expires on April 30, 2001, Champps has asked for immediate consideration.

Under the Troy City Council Rules of Procedure, Council has the option of reconsidering or rescinding a previous vote of the Council when four council members vote in favor of reconsideration. (Rule 8). If a majority of the Troy City Council votes to reconsider the previous Champps action, such reconsideration can take place at your April 23, 2001 City Council meeting. This is true, even though a public hearing was initially held. Public hearings concerning liquor licenses are required only when adverse action against a liquor licensee is anticipated.

Representatives from Champps will be present at the April 23, 2001 City Council meeting. At that time, they will outline the procedures that they have undertaken to prohibit future violations of the liquor laws. Upon information and belief, these steps go beyond the steps that were taken prior to the public hearing on February 26, 2001. A copy of the new procedures, as presented to Council by Attorney John Carlin, is attached. A copy of the liquor licensee history is also attached.

Assuming that major steps have been undertaken to ensure compliance with the liquor laws, it is the recommendation of the City Attorney's office that reconsideration be granted. If you have any questions concerning the above, please let me know.



4/30/01

TO: Honorable Mayor and Members of Council

FROM: Lori Grigg Bluhm, Acting City Attorney

RE: Champps v. Troy

---

Champps Americana has filed a lawsuit against the City of Troy, the Troy City Council, and the Michigan Liquor Control Commission. The lawsuit challenges Troy's objections to the renewal of the liquor license for Champps Americana. This temporary objection to the renewal was passed by City Council on February 26, 2001, and was based on at least three uncontested violations of the liquor laws within the preceding year.

The first count of the complaint alleges a violation of due process. Champps alleges that Council's actual resolution was only for a temporary suspension of the liquor license, which would have been null and void before the MLCC, since Troy has no authority to effectuate a suspension of a liquor license. The second count of the complaint alleges a violation of equal protection, and argues that Troy has treated Champps differently than all other licensed liquor establishments. Specifically, they complain that the police have heightened the scrutiny of Champps, which resulted in the numerous liquor violations. The third count of the complaint requests injunctive relief, and argues that immediate action is necessary to keep Champps operational.

Since the liquor license expires on April 30, 2001, Champps has been granted an expedited hearing, which is now set for next Wednesday, April 25, 2001. Absent objections, our office will assume representation of the City and City Council.

If you have any questions concerning the above, please let me know.

**PROCLAMATION TO HONOR  
Dr. MICHAEL ITALO OPIPARI  
AS 2001 ITALIAN AMERICAN OF THE YEAR**

**WHEREAS,** The Italian Study Group of Troy set aside April 29, 2001 to honor an outstanding Italian American who has demonstrated the age old value of Italian American's, *Dio, Patria e Famiglia* (God, Country and Family); and

**WHEREAS,** At the Italian Study Group of Troy's 27<sup>th</sup> anniversary celebration, **Dr. Michael Italo Oipari** was honored as their 2001 Italian American of the Year; and

**WHEREAS, Dr. Oipari** and his wife Sue have been married 34 years and are the proud parents of three children, Christopher, Marsha and Gina; residents of Shelby Township, they are members of St. Theresa of Lisieux Parish; and

**WHEREAS,** He is the Executive Vice President/Chief Medical Officer of Horizon Health Systems, Detroit Osteopathic Hospital, Bi-County Community Hospital and Riverside Osteopathic Hospital, a division of Henry Ford Hospital. Also, he has been a Clinical Professor of Internal Medicine at Michigan State University College of Osteopathic Medicine since 1986; and

**WHEREAS, Dr. Oipari** is a member of the Italian Sons and Daughters of America, Santa Maria Lodge, and has served as an officer and Chair for several Italian Sons and Daughters of America functions. Currently he is Chairman of the American Italian Origin Scholarship Review Committee and has served in the position for the past 15 years.

**NOW, THEREFORE, BE IT RESOLVED,** That the City Council of the City of Troy, does hereby join with the citizens of Troy, to express sincere congratulations to **Dr. Michael Italo Oipari** on the occasion of being chosen 2001 Italian American of the Year.

**BE IT FURTHER RESOLVED,** That **Dr. Michael Italo Oipari** has served both his profession and the Italian community with distinction and deserves the recognition of the entire Troy community.

Signed this 23rd day of April 2001.

**PROCLAMATION TO HONOR  
ANTHONY SANFEMIO  
AS 2001 ITALIAN AMERICAN OF THE YEAR**

**WHEREAS**, The Italian Study Group of Troy set aside April 29, 2001 to honor an outstanding Italian American who has demonstrated the age old value of Italian American's, *Dio, Patria e Famiglia* (God, Country and Family); and

**WHEREAS**, At the Italian Study Group of Troy's 27<sup>th</sup> anniversary celebration, **Anthony Sanfemio** was honored as their 2001 Italian American of the Year; and

**WHEREAS**, **Anthony Sanfemio** was born in Pacentro, a province of Aquila, and emigrated with his family in 1935 to the United States where he has distinguished himself in the military and in public and community services; and

**WHEREAS**, **Mr. Sanfemio** is an advocate for the advancement of higher education, including the instruction of the Italian language, culture and heritage. He was the President of AIO from 1980 to 1983 and is presently serving on its Board. In 1972 Mr. Sanfemio was knighted by the Italian government; and

**WHEREAS**, He has held positions as Eastpoint Councilman and Mayor Pro-Team and has also served as Commissioner on the Detroit Water and Sewer Board. He was appointed by President Nixon to serve as advisor to the Small Business Administration; and

**WHEREAS**, 2001 marks 50 years of marriage for Anthony and his wife Nina, residents of Shelby Township and members of St. Andrew Parish. They are the proud parents of two children, Jim and Julie, and grandparents of Alexa and Anthony;

**NOW, THEREFORE, BE IT RESOLVED**, That the City Council of the City of Troy, does hereby join with the citizens of Troy, to express sincere congratulations to **Anthony Sanfemio** on the occasion of being chosen **2001 Italian American of the Year**.

**BE IT FURTHER RESOLVED**, That **Anthony Sanfemio** has served both his profession and the Italian community with distinction and deserves the recognition of the entire Troy community.

Signed this 23rd day of April 2001.



**PROCLAMATION TO CELEBRATE  
THE ITALIAN STUDY GROUP OF TROY'S  
27<sup>TH</sup> ANNUAL FESTA ITALIANA**

**WHEREAS,** The **Italian Study Group of Troy** is a non-profit educational organization whose purpose is to promote and preserve the Italian-American heritage through language, culture, music, and social events; and

**WHEREAS,** Since 1974, the members and their friends have been celebrating their heritage through a variety of social and cultural activities which they have shared with the entire community; and

**WHEREAS,** The **Italian Study Group of Troy** was founded by the late Luella Baron in 1974. The I.S.G.T. offers support to local organizations and the monies raised by the I.S.G.T. are used to support classes in the Italian language, choral singing and their Special Performing Art group, as well as a scholarship fund. The Italian Study Group of Troy is open to all regardless of age, nationality, or religious preference; and

**WHEREAS,** In 1997 the **Italian Study Group of Troy** initiated The Luella Baron Scholarship Fund, offered to students who are interested in the study of Italian culture and language; and

**WHEREAS,** The group's Special Performing Arts Club (S.P.A.C.) works with over 20 physically and/or mentally challenged young adults. They are taught songs in English and Italian, learn modern and folk dances and gain confidence, because of their dedicated instructors, to perform before an audience. Social gatherings and special outings are also held. S.P.A.C. is open to the community at; and

**WHEREAS,** The **Italian Study Group of Troy** in partnership with the Italian Consulate of Detroit and other groups is at the forefront of an initiative to introduce the study of the Italian language in our high schools and public schools.

**NOW, THEREFORE, BE IT RESOLVED,** That the City Council of the City of Troy, do hereby join with the citizens of Troy, to express sincere congratulations to the **Italian Study Group of Troy** on the occasion of their 27<sup>th</sup> anniversary, and wish the group continued success in their community activities.

Signed this 23rd day of April 2001.

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chairman Beltramini at 7:35 p.m. on Tuesday January 23, 2001 in the Lower-level Conference Room of Troy City Hall.

1. ROLL CALL

**Present:**

Beltramini  
Kramer  
Reece  
Starr  
Storrs  
Wright  
Chamberlain  
Littman (7:45 p.m.)

**Absent:**

Waller

**Also Present:**

Laurence G. Keisling, Planning Director  
Mark Miller, Principal Planner  
Lori Bluhm, Assistant City Attorney  
John Szerlag, City Manager  
Jordan Keoleian, Student Representative

*Resolution presented later in the meeting.*

Moved by Starr

Seconded by Wright

RESOLVED, that Commissioner Waller be excused from attendance at this meeting.

Yeas: All Present (8)

Absent: Waller

MOTION CARRIED

2. MINUTES – Special/Study Meeting of January 2, 2001 and the Regular Meeting of January 9, 2001

Moved by Chamberlain

Seconded by Wright

RESOLVED, that the minutes of the Special/Study Meeting of January 2, 2001 be approved as printed.

Yeas: All Present (7)

Absent: Waller, Littman

Moved by Chamberlain

Seconded by Wright

RESOLVED, that the minutes of the Regular Meeting of January 9, 2001 be approved as printed.

Yeas: All Present (7)

Absent: Waller, Littman

MOTION CARRIED

### **STUDY ITEMS**

4. (Taken out of order) CURRENT DEVELOPMENT REPORT

Mr. Keisling and Mr. Szerlag advised the Commission that Dr. Bergmann of the Railway Systems Engineering Corporation appeared at the City Council Meeting on January 22, 2001, on behalf of the Michigan Association of Railroad Passengers. He requested that the City Council adopt a resolution asking MDOT to give further consideration to the provision of commuter rail service in conjunction with the proposed improvements to I-375 in Detroit and I-75 through Oakland County. Although the council did not adopt such a resolution, the City Manager indicated that he would be discussing this matter further with the new MDOT Director.

Mrs. Beltramini noted that, earlier in the day, she had participated in a SEMCOG Transit Visioning Session. The participants, from many backgrounds, identified and discussed transit-related needs and directions for the region.

Mr. Keisling noted that a site plan has now been submitted for an office building on the former Troy Hilton Hotel site. He further advised the Commission that the City Council has approved the rezoning of a single lot on the west side of Dequindre south of Wattles Road, in accordance with the Planning Commission's recommendation. The petitioner in that matter has now submitted a similar request for the lot immediately to the south. The City Council also approved a City-Wide Walkway/Bikeway Plan, in accordance with the joint recommendations of the Planning Commission, the Parks and Recreation Advisory Board, and the City Staff. The Planning Department is developing a single map in order to depict the direction of that Plan. The Council also amended the City's Development Standards in order to require the placement of 8-foot wide sidewalks in conjunction with construction along all major thoroughfare frontages.

Mr. Chamberlain expressed concern about obstructions which often occur in sidewalks, including Edison poles, anchors, etc. He and other Commission members also noted that utility company trucks often destroy sidewalks. It was noted that obstructions such as those indicated could occur for a variety of reasons. Mr. Szerlag agreed to investigate some of these situations in order to determine whether such sidewalk obstructions could be eliminated.

In response to a concern expressed by the Commission regarding signs illegally placed in public rights of way, Mr. Szerlag noted that the city staff is continuously involved in the removal of such signs, and that other citizens are also legally able to remove such signs.

*(Mr. Littman Arrived)*

5. DOWNTOWN DEVELOPMENT AUTHORITY REPORT

In the absence of Mr. Smith, Mr. Keisling advised the Commission that there was no DDA meeting in January, and that the next meeting will be on Wednesday morning February 14, 2001.

3. (Taken out of order) BOARD OF ZONING APPEALS REPORT

Mr. Littman commented on the matter recently considered by the Board of Zoning Appeals, wherein a 4 foot lot width variance was granted in order to permit a parcel having 396 feet of frontage on the west side of Coolidge north of Wattles Road to be split into four home sites. David Jensen, the petitioner, proposes to construct four homes on this site, even though development under the subdivision process could potentially yield five home sites. He is proposing to set the homes well back from Coolidge Road in order to maximize tree preservation.

6. CITY OF TROY GOALS AND OBJECTIVES: 2000 – 2003

Chairman Beltramini noted that last Fall, at a City Council Study Session, City Manager John Szerlag made a presentation regarding proposed Goals and Objectives for the years 2000 – 2003. Mr. Szerlag has agreed to make a similar presentation to the Planning Commission this evening. The Commission had previously received a hard copy of Mr. Szerlag's PowerPoint presentation.

In the course of Mr. Szerlag's extensive presentation, the Commission Members discussed several matters, including code enforcement and property maintenance concerns.

7. MASTER PLAN ("FUTURE LANDUSE PLAN") REVIEW & UPDATE

Mr. Keisling noted that, in recent study meetings, the Commission and the staff have begun assembling suggestions as to areas where Future Land Use Plan amendments could be considered. The staff has prepared a map indicating potential amendment locations. Mr. Keisling reviewed the items shown on the map and gathered several additional comments or suggestions from the Commission, including the following:

1. Add a "Preservation Area" designation in the area of the school district property in Section 1.
2. Consider alternative land use directions in the area of the Boys and Girls club site at Long Lake and John R, including "Community Facilities" and "Medium-Density Residential".

3. Modify the Plan to reflect the nature and scale of the development in the northwest quadrant of the Big Beaver – John R intersection, which includes a retail center and the Troy Sports Center. The sports center area could be designated as "Community Facilities".
4. Consider roadway corridors in addition to the Big Beaver corridor, which could be designated as "Proposed Transit Corridors".

The Commission discussed several of the other proposed modifications to the Master Plan map. Staff will provide a revised overlay map, and proceed with the development of a supporting text.

Meeting adjourned at 10:30 p.m.

Respectfully submitted,

Laurence G. Keisling  
Planning Director

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chairman Beltramini at 7:30 P.M. on Tuesday February 27, 2001 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

**Present:**

Beltramini  
Kramer  
Reece  
Starr  
Storrs  
Waller  
Wright  
Littman (7:50 pm)

**Absent:**

Chamberlain

**Also Present:**

Laurence G. Keisling, Planning Director  
Doug Smith, Real Estate & Development Director  
Mark Miller, Principal Planner  
Lori Bluhm, Assistant City Attorney  
Jordan Keoleian, Student Representative

*Resolution presented later in the meeting.*

Moved by Starr

Seconded by Wright

RESOLVED, that Commissioner Chamberlain be excused from attendance at this meeting.

Yeas: All Present (8)

Absent: Chamberlain

MOTION CARRIED

**TABLED ITEMS**

2. PRELIMINARY PLAT-TENTATIVE APPROVAL — Abbotsford Parc Subdivision — South side of Abbotsford, West of John R — Section 11

Mr. Keisling explained that action was tabled on this matter, following discussion at the February 13 Regular Meeting, in order to provide an opportunity to further consider or obtain further information in relation to a series of matters. These matters include the relationship between the area indicated on the proposed plat as a "poorly drained area" and applicable wetland regulations, alternative street configurations within and adjacent to the subject property, and the extent of paving of Abbotsford Street which should be recommended to the City Council.

Mr. Keisling noted that, as originally submitted, the proposed subdivision consisted of 9 lots and a detention basin site within a 3.22 acre parcel lying south of Abbotsford Avenue west of John R, in the area south of Square Lake Road. The proposed street system consists of a single street extending south from Abbotsford to the south edge of the property, at which point a temporary turn-around meeting City standards was proposed. In the course of discussing the proposed subdivision, it was noted that the plat indicated the platted "Easement for Future Street" which involves the south 30 feet of the subject property and the north 30 feet of the lots to the south. This easement extends across the total  $\frac{1}{4}$  - mile east – west length of the current subdivision ("Eysters John R Farms"). The resident-owner of the property abutting to the south expressed concern about the proposed street configuration, and understandably indicated that he may oppose vacation of the sixty-foot wide easement for future street, as retention of this easement may be beneficial to him in the future. Adjacent residents also expressed concern about the ponding of water, which presently occurs on the property, and the effects of the proposed development on this situation. Extensive discussion also occurred in relation to the staff's recommendation that a full width pavement be provided on Abbotsford Avenue across the frontage of this site, extending east to John R, in conjunction with this development.

Mr. Keisling advised the Commission that the City's natural features consultant has confirmed the position of the developer's consultant that there are no regulated wetlands on this property. At a meeting held with the developer and his representatives on February 22, the staff was advised that it is the developer's attorney's opinion that the Easement for Future Street is no longer available for street purposes as it has not been used since the time of the platting of the underlying subdivision in the 1920's. The staff does not concur in this position. Ms. Bluhm is, however, further researching this matter. The Planning Department staff has considered various potential street pattern alternatives involving this property and the adjacent area. These alternatives included the placement of a cul-de-sac bulb at the south end of the proposed street, at various north-south locations, and use of a portion or all of the Easement for Future Street in the area between John R and Holm Drive. Mr. Keisling noted one of the street pattern drawings which he felt would work best for all concerned, which involves use of the street easement from the proposed new interior street west to the west boundary of the Eysters John R Farms Subdivision. The use of such a plan as an overall plan for the area would result in modification of the proposed Abbotsford Parc Subdivision to include a portion of a street right-of-way extending west from the proposed interior street to the west boundary of the site. The proposed subdivision would then involve just 8 lots and a detention basin parcel.

Mr. Littman arrived.

Franco Mancini, the subdivision proprietor, was present along with Bob Lindh of Urban Land Consultants, his civil engineer. Mr. Lindh noted the legal opinion which had been presented regarding the lack of usability of the platted Street Easement. He then commented on their proposed drainage concept, including the proposed detention basin in the easterly portion of the site which would outlet east toward John R Road. He noted that the potential site grading would eliminate the "poorly drained area", that the grade at the edges of the site would match the grade of the adjacent property, and that there may be a drainage swale and enclosed drainage along the south edge of the site.

Victor Lenivov, owner of the property to the south, stated that it was his understanding that Circuit Court action will be necessary in order to vacate the Street Easement. He would prefer a different street configuration, perhaps one involving a short cul-de-sac wherein the proposed lots would back to his lot. He felt that the developer and the Planning Commission should look at the potential layout for the total area, not just the subdivision site. He was further concerned about the existing and potential drainage problems in this area, and questioned the location of the detention basin.

In the course of the Commission's discussion, they considered various street pattern alternatives, discussed the drainage situation in the area, and discussed the potential paving of Abbotsford between the subdivision site and John R. Mr. Kramer commented that he could recommend a plat alternative which involved the use of a portion of the Street Easement. The Commission noted, however, that the extent of use of the Street Easement would in part be dependent upon the position of those property owners whose lots involved portions of the Easement. They therefore felt that it would be necessary to postpone action on this matter until the March 13 Regular Meeting, in order to provide an opportunity to confirm the status of the Street Easement.

Moved by Waller

Seconded by Littman

RESOLVED, that action on the Tentative Preliminary Plat of Abbotsford Parc Subdivision, in the area South of Abbotsford, and West of John R be tabled until the March 13, 2001 Regular Meeting in order to provide an opportunity to confirm the status of the platted Easement for Future Street, and to further consider alternative street configurations for the subject property and the adjacent property.

Yeas: All Present (8)

Absent: Chamberlain

MOTION CARRIED

### **STUDY ITEMS**

(Due to the presence of the petitioners, the Commission decide to take Item 7 out of order and consider it at this time.)

7. (Taken out of order) PRELIMINARY DISCUSSION OF PROPOSED SUBDIVISIONS—  
West Oak Subdivisions 1 & 2—North of Big Beaver, East of Rochester Road—Section 23

Mr. Keisling explained that in April of 1997, the City Council granted Tentative Approval to the Preliminary Plat of West Oak Subdivision. The subdivision at that time consisted of 12 lots and a detention basin site within a 4.22 acre parcel in the area north of Big Beaver, between Rochester and John R, at the present east end of Boyd Street and at the present south end of Harmony Drive (Raintree Village Subdivision). Council's original Tentative Preliminary Approval action included placement of a barrier at the present south end of Harmony Drive, which would allow only emergency vehicle and pedestrian access. This action was consistent with the Planning Commission's recommendation, which came after extensive discussions of alternate street patterns, both for the proposed small subdivision, and for the undeveloped areas to the east and to the west. The staff had consistently recommended that the proposed subdivision be



implemented without the placement of a barrier. Construction plans were subsequently submitted for this subdivision, but no construction as of yet has proceeded. Mr. Keisling noted one of the maps which had been enclosed with the Agenda, entitled "Alternate 1 Original Proposal" which depicts the configuration of the originally approved subdivision and one of the several hypothetical layouts for potential future development in the areas to the east and to the west.

Mr. Keisling stated that a development group represented by Joe Paluzzi was the potential developer of the originally proposed West Oak Subdivision. That group has now assembled additional properties extending west from the original subdivision site to Daley Street, and east to the east boundary of the EMRC office site, and has submitted a Tentative Preliminary Plat for proposed West Oak Subdivisions 1 & 2, involving the total series of properties under their control. This proposed development substantially revises the layout originally approved for West Oak Subdivision, and thus is being treated as a totally new proposal.

Mr. Keisling commented that the proposed street pattern for this subdivision has undergone considerable discussion between staff and the developers prior to this submittal. Because of the significance of the potential street system in this area and its function in completing and potentially tying together existing street elements in this large portion of Section 23, staff felt that it would be reasonable to take an unusual approach and discuss this proposed plat submittal and its background in a Study Meeting, rather than waiting until the Regular Meeting to introduce the item. Early proposals for a street pattern in this area involved a direct extension of Hartland Street from its present terminus at Daley Street on east into and through the proposed subdivisions, resulting in a straight street approximately 2/3 of a mile in length. In order to reduce vehicle speed problems on such a street, consistent with the current interest in "traffic calming", the developers engineer proposed a layout involving islands in a portion of the long east-west street, as indicated in the plan dated December 18, 2000. As an alternative to layouts of this type, staff proposed the other layout dated December 2000, which involves an indirect street alignment in the area north and west of the Elks Club site, and the construction of a new street pattern involving a "street diverter" type of configuration in the area where Harmony Drive and Boyd Street would otherwise intersect. Although the indirect street pattern north of the Big Beaver frontage creates a relatively unusual subdivision configuration, staff felt that the "traffic calming" benefits of the street pattern warranted such an approach. In the case of the "street diverter" portion of the design, it was their intention that the indirect nature of the resultant street pattern will enable the very important interconnection of the street system in this area to occur without artificial barriers. The developer does not support this street pattern proposal, as it results in fewer lots, and in some lots with orientations which he feels would be undesirable, particularly in the area immediately north of the westerly Big Beaver Road frontage. The plat as most recently submitted by the developer involves a straight street layout, with minor islands. The developer does however propose to create an offset intersection with Hartland Street west of Daley, presumably in order to create a "traffic calming" condition in that area. The proposed subdivision plat also includes some areas proposed for tree preservation in the area north and west of the Elks Club site, which is heavily wooded.

The subdivision proprietor, Joe Paluzzi, was present along with John Hennessey, his consulting engineer. Mr. Hennessey reviewed their proposed plat, and confirmed their concern about the indirect street alignment proposed by staff in the westerly portion of the site. The lots proposed in that area of their proposed plat were significantly larger and deeper than typical R-1E lots, thus enabling wooded or landscape area buffers between their proposed homes, the office frontage on Big Beaver, and the homes to the north on Boyd Street. Mr. Paluzzi commented on the history of the efforts to assemble land in this area, and the potential opportunity to build relatively "affordable housing" at this location.

Mr. Storrs suggested that a layout involving the "street diverter" design in the easterly area and the proprietor's proposed island design in the west would be reasonable. Mr. Hennessey commented that such a design may require two separate detention areas. He further noted the difficulty of laying out a subdivision in the area of the oil pipeline which diagonally crosses the easterly portion of the site.

Robert Jackson of 3035 Daley Street expressed concern about the impact of this development on the wooded and wetland portions of the site. He also noted that Daley Street would be the only street access to this area from Big Beaver Road, and thus he felt that the street access to the area was not adequate. Mr. Hennessey stated that Bob Leighton and Mike Nurse had reviewed the area, and determined that there are no regulated wetlands in the area.

The Commission extensively discussed various street pattern alternatives for the proposed subdivisions. Some of the Commission members shared the developer's concerns about the indirect street pattern proposed in the westerly portion of the site. It was suggested that perhaps "speed humps" could be considered in that area. Some of the Commission members indicated support for the proposed "street diverter" layout in the easterly portion of the site. It was noted that the proposed subdivisions would be formally presented and further discussed at the March 13 Regular Meeting.

### 3. BOARD OF ZONING APPEALS REPORT

Mr. Storrs commented on two of the items recently considered by the Board of Zoning Appeals. A request for a variance in order to permit parking within the required front yard of an industrial site on Daley Street south of Big Beaver Road was withdrawn by the petitioners. It appears that other properties in this area have previously received similar variances. The Choice Group has also requested variances from the minimum distance requirements between buildings in their proposed condominium development on Wattles Road east of Finch Drive. These variances are necessary even though the proposed development involves only 3-unit and 4-unit buildings.

### 4. CURRENT DEVELOPMENT REPORT

Mr. Keisling advised the Commission that City Council will hold a joint meeting with the Downtown Development Authority on Monday evening March 12, in order to discuss the potential placement of a Performing Arts Center on or adjacent to the Civic Center site. Other elements of the potential Civic Center area development will also be discussed, including a potential Conference Center.

Mr. Kramer noted a recent Wall Street Journal article which indicated that "hands-on museums" in various areas of the country were experiencing economic difficulties.

Mrs. Beltramini advised the Commission that she and Mr. Chamberlain had met informally with Mark Nickita, Chairman of the Birmingham Planning Board. They discussed procedural differences between the two communities, including Board of Zoning Appeals and Planning Commission functions, as well as other matters of concern to the two communities.

Staff was requested to resume the effort to have a joint meeting with the Sterling Heights Planning Commission.

5. DOWNTOWN DEVELOPMENT AUTHORITY REPORT

No further report was presented.

6. PROPOSED WETLANDS AND NATURAL FEATURES PROTECTION ORDINANCES

Mr. Keisling explained that, since early last year, City staff has been working with a group of residents and interested parties in order to develop ordinance language directed at protection of wetlands and other natural features throughout the City. This process has now evolved to the creation of two proposed ordinances, the Wetlands Ordinance, and the Natural Features Protection Ordinance. The Commission had received copies of the latest drafts of these ordinance documents, which were conveyed to the committee by Lori Bluhm on January 19, 2001. Following further discussion at a committee meeting, it was decided that these ordinance drafts would be reviewed and analyzed by staff in order to determine their relationship to present plan review and approval processes, and thus to establish modified plan review and approval processes involving wetlands and other natural features matters. As an additional direction, the ordinances have also been conveyed to representatives of the "development community" for their review and comment. Preliminary comments were received from those representatives at a meeting on Monday, February 19, 2001. It is the intent of City Management that, if substantial modifications are necessary to the ordinances in order to enable their implementation through reasonable review processes, the proposed changes will be presented to the committee for their further review and comment. It is further intended that comments from the representatives of the development community will be consolidated and summarized, and that a meeting will be established between those representatives and the committee in the near future. Mr. Keisling noted that Mrs. Beltramini is one of the members of the informal committee, and that she was deeply involved in the ordinance development process.

Mr. Keisling noted the staff memorandum which had been distributed, which includes a proposed "Application Process Flow Chart". This flow chart was prepared by Mark Miller. Mark noted that the majority of the flow chart served to summarize the basic major development plan review processes, the Site Plan Review and the Subdivision Plat Review processes, while at the same time incorporating those modifications necessary to involve the proposed environmental protection ordinances.

The Commission discussed various elements of the proposed ordinances, and the matters presented in the staff memorandum and flow chart. In response to Mr. Reece's question, Mr. Keisling advised that these proposed ordinances did not address storm water management per se. That very extensive subject is being addressed separately by City staff. Mr. Waller commented that the proposed ordinances appear to place the Planning Commission in a position of being involved with "conflict resolution" in relation to natural features determination and treatment. They felt these situations should be handled by professional staff, in advance of the presentation of proposals to the Planning Commission. Mrs. Beltramini felt that it would be desirable, and a more effective use of time, if zoning and plan approval related matters such as open space subdivision and cluster residential development could happen simultaneously with the consideration of plans and proposals related to natural features protection. Mr. Kramer noted that efforts to preserve natural features could significantly reduce the area available for construction within non-residential sites. In response to Mr. Wright's question, it was noted that, consistent with the Special Use Approval Process, public hearing notices would be mailed within the 5 to 15 day period before Planning Commission meetings. He felt that the notice time should be longer—perhaps a 15 day period minimum. Mr. Littman expressed great concern regarding the potential litigation which could result from the proposed very broad definition of "wetlands" in the ordinances. Ms. Bluhm commented that the definition in question was taken directly from the State law. She noted that one of her concerns throughout the ordinance development process was minimizing the potential for "takings" challenges.

It was noted that, following further discussion of the nature and content of the proposed ordinances at future meetings, the Planning Commission should make a recommendation to the City Council regarding their adoption.

The meeting was adjourned at 10:15 P.M.

Respectfully submitted,

Laurence G. Keisling  
Planning Director

/nl

## **PARKS AND RECREATION ADVISORY BOARD**

Minutes of March 8, 2001

Present:	Gary Hauff, member	Orestes Kaltsounis, member
	Jeff Stewart, member	Robert O'Brien, member
	John Goetz, member	Kathleen Fejes, member
	Tom Krent, member	Jeff Biegler, staff
	Stuart Alderman, staff	Carol Anderson, staff

Absent: Doug Bordas, Lawrence Jose.

Visitors: Mark Colombo

The meeting was called to order by Robert O'Brien at 7:30 p.m.

A motion by John Goetz, supported by Jeff Stewart, to accept the minutes of the meeting held February 8, 2001 as presented.

Ayes All                      Nays None  
MOTION CARRIED

### **NEW BUSINESS**

- A. Facility Usage Policy – Certain facilities can be permitted and used by residents. There is a 75% residency requirement. Youth groups are not charged for use of facilities. Soccer fields are not permitted out due to the large number of participants and limited number of fields. Discussion followed regarding the terms of general usage and applying it to this policy. It was asked that a TYSL officer be at a future meeting to give an overview of the organization.
- B. Budget – We have budgeted 6.975 million dollars for the fiscal year 2001-2002. The largest increase is in personal service. Other increases are from the proposed addition of three new staff people, building maintenance, the Community Center operating costs and additional street island maintenance.

**Amended (April 24, 2001) to** – Mr. Kaltsounis expressed concerns about the amount of merchandise sales generated in the Sylvan Glen Pro Shop and expressed that consideration be given to renting it.

A motion by Kathleen Fejes, supported by Tom Krent, that the Parks and Recreation budget as submitted to the Finance Director be approved.

Ayes All                      Nays None  
MOTION CARRIED

- C. Mark Colombo – Mr. Colombo has been working for the City since 1974. He oversees all the tree operations (planting, removals, trimming, etc.), athletic fields, mowing, irrigation, street islands and firestation properties. We have gone to a computerized irrigation system which regulates how much water is put down at night depending on the wind, sunshine or rain and temperature during the day. Together with Ed Carpus, Mark oversees 13 full time staff and 52 part time/seasonal staff.

## **OLD BUSINESS**

- A. Election of Officers – The elections were tabled until June.

A motion by Kathleen Fejes, supported by Tom Krent, to postpone the election of officers until June.

AYES: All            NAYS: No  
MOTION CARRIED

- B. Park Board membership – Jeff Stewart is a member of the Troy Daze Committee and was appointed by City Council to be the Troy Daze representative to the Park Board. The Troy Daze Committee meets on the fourth Tuesday of each month.
- C. Land Acquisition – Negotiations for land parcels in section 22 and 36 are ongoing.
- D. Park Tour Date – A tour of our Parks will be given on April 19<sup>th</sup> for the Citizen's Academy and the newest members of the Park Board.

## **OTHER**

- A. Director's Report – An article in a Parks and Recreation Magazine, the national publication for Parks and Recreation, discussed the partnership between our Parks and Recreation Department and the Troy Racquet Club. We are proud of this relationship and of the article. Interviews for the Community Center manager begin next week. We are still waiting for the environmental reports for Section 1 Golf Course.
- B. Recreation Report – The aquatic staff will be needed year round with the completion of the pool area in the new Community Center. Interviews for the new Recreation Supervisor begin in early April. Spring registration has begun with 1,137 registrations processed so far. Phase I demolition of the Community Center is done. The Joint-School Project of fencing around the ball diamonds is 80% done at Boulan and will begin at school sites soon.

C. Parks Report – Construction of the Nature Center building has been put on hold until some telephone and power poles can be moved at the end of the month. Park shelter reservations will begin on April 9<sup>th</sup>. Troy Daze will have a fireworks display on the last day as a grande finale. The gazebo at the museum was destroyed in a storm and will be rebuilt.

A motion by Tom Krent, supported by Kathleen Fejes, to excuse the absent members.

AYES: All

NAYS: None

MOTION CARRIED

The meeting was adjourned at 9:05 p.m.

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chairman Beltramini at 7:30 P.M. on Tuesday, March 27, 2001 in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

**Present:**

Beltramini  
Chamberlain  
Kramer  
Reece  
Starr  
Storrs

**Absent**

Littman  
Waller  
Wright

**Also Present:**

Laurence G. Keisling, Planning Director  
Mark Miller, Principal Planner  
Lori Bluhm, Assistant City Attorney  
Jordan Keoleian, Student Representative

Resolution

Moved by: Chamberlain

Seconded by: Reese

RESOLVED, that Commissioners Littman, Waller and Wright be excused from attendance at this meeting.

Yeas: All Present (6)

Absent: Littman  
Waller  
Wright

MOTION CARRIED

2. MINUTES – Special/Study Meeting of February 27, 2001

Mr. Chamberlain noted that the Minutes related to the discussion of the proposed Natural Features Protection Ordinances should be revised to delete his name, as he was not present. Mrs. Beltramini noted that the spelling of the name of the Chairman of the Birmingham Planning Board, as referred to in the Current Development Report, should be corrected to read Mark Nickita

RESOLUTION:

Moved by: Starr

Seconded by: Kramer



RESOLVED, that the minutes of the Special Study Meeting of February 27, 2001 be approved as corrected.

Yeas: Beltramini  
Kramer  
Reece  
Starr  
Storrs

Abstain: Chamberlain

Absent: Littman  
Waller  
Wright

MOTION CARRIED

### **REGULAR BUSINESS ITEMS**

3. (Tabled Item) PRELIMINARY PLAT-TENTATIVE APPROVAL – Abbotsford Parc Subdivision – South side of Abbotsford, west of John R. – Section 11

Mr. Keisling explained that this matter has been discussed at the February 13<sup>th</sup> Regular Meeting, the February 27<sup>th</sup> Study Meeting, and most recently at the March 13<sup>th</sup> Regular Meeting. At the March 13<sup>th</sup> Meeting action was tabled to this Study Meeting in order to provide an opportunity to prepare and consider other alternative street layouts, and to obtain further information as to the potential grading and drainage concept for the site, particularly in relation to the southerly portion of the site. The proposed Subdivision consists of nine lots and a detention basin site within a 3.2-acre parcel on the south side of Abbotsford Drive, west of John R. The proposed street system consists of a single street extending south from Abbotsford to the south edge of the property. One of the questions which has been extensively discussed is the configuration of the south end of the proposed street facility.

Mr. Keisling noted the two planimetric maps which were distributed to the Commission, indicating hypothetical street and lot layouts for the subdivision site and for the adjacent area. Alternate Plan "A" includes the subdivision layout recommended by the Planning Department, which consists of a "half cul-de-sac" within the subdivision site. The northerly portion of the cul-de-sac bulb could reasonably serve as a temporary turn-around. Potential expansion of the cul-de-sac bulb in the future would then provide for three lots within the property immediately to the south. This plan also indicates potential lots splits on other adjacent properties, creating new home sites which would front on presently platted streets. Alternate Plan "B" results from the Planning Commission's request to provide a layout which would include a potential street in the area of the former "Easement for Future Street", which was vacated in the 1950's. The creation of a new street in this area would, of course, require acquisition of property from present owners and a dedication following construction of street improvements. Plan "B" also indicates a potential street extending west from Holm Drive to the west boundary of the

subdivision. A street in this location could of course be established under either alternative plan.

Mr. Keisling noted that the proprietor has now submitted two alternative plat layouts. Their plat designated Exhibit "A" involves just a slight flare in the street and right-of-way at the south end of the property, indicating that the great majority of a potential future cul-de-sac would have to be placed on the property to the south. Their Exhibit "B" indicates the construction of a half cul-de-sac within the subdivision site, as recommended by the Planning Department. Exhibit "A" also includes two cross-sections indicating the grading and drainage concept proposed along the southerly and westerly boundaries of the site. The proposed plats also indicate a 22-foot wide paved street extending across the frontage of the site and on east to John R. As indicated previously, it is the staff's position that such a pavement configuration would be a reasonable solution in this area in the event that no additional paving occurs through an overall special assessment project, etc. On the basis of the materials submitted by the proprietor, it was the recommendation of staff that the plat designated Exhibit "B" be approved. That drawing should also be modified to include the cross-sections which presently appear only on Exhibit "A".

Mr. Reece inquired as to whether other cul-de-sacs could, in the future, be developed in this area. Mr. Keisling noted that such would be possible, but would be unlikely due to the availability of existing platted streets. Mr. Reece was pleased with the proposed cross-sections, and commented that it is important that the indicated swales be provided at the property boundaries.

Franco Mancini, subdivision proprietor, was present along with Bob Lindh of Urban Land Consultants, his Civil Engineer. In response to questions from the Commission, Mr. Lindh commented on the proposed drainage concept. In response to Mr. Storrs question, he noted that the proposed swales would be in the range of three feet to ten feet from the adjacent property lines. The swale locations may vary, in an effort to save additional trees on the site. Mr. Lindh stated that the proprietor prefers the layout in "Exhibit A", as it results in larger building envelopes for the southernmost lots. Victor Lenivov, and other area residents were present. Mr. Lenivov stated that the recommended cul-de-sac layout would limit the developability of his property. He felt that, if a cul-de-sac is to be used, it should be totally within the developer's site. Mr. Chamberlain noted that the half cul-de-sac could be modified in the future in order to enable the extension of a street directly south toward Hopedale, if such was desired by the property owners and the City at the time. He felt that no further discussion was necessary on this proposed Subdivision. Mr. Lindh also noted that their proposed pavement on Abbotsford is 25 feet in width rather than 22 feet in width, in order to provide for a proper curb cross-section on the south side.

Moved by: Chamberlain

Seconded by: Starr

RESOLVED, that the Planning Commission hereby recommends to the City Council that Tentative Approval be granted to the Preliminary Plat of Abbotsford Parc Subdivision, on the south side of Abbotsford, west of John R, subject to the following conditions:

1. The plat recommended for approval is that designated as Exhibit "B" by the proprietor, including a "half cul-de-sac" design.
2. The recommended plat should be modified to include the site cross-sections presently shown on Exhibit "A".

Yeas: All Present (6)

Nays: None

Absent: Littman  
Waller  
Wright

#### MOTION CARRIED

4. SITE PLAN REVIEW (Revision) – Proposed Office Buildings - North side of Big Beaver Road, East of Rochester – Section 23

Mr. Keisling explained that, on January 9, 2001, the Planning Commission approved a site plan for the construction of two single-story office buildings totaling 12,552 square feet in area on a 1.2-acre O-1 AND P-1 site on the north side of Big Beaver Road, east of Rochester Road. One of the conditions of the approval was the provision of a cross-access easement extending to the east property line in the area adjacent to Big Beaver Road, and to the west property line in the area north of the southerly building. The Stuart Frankel Development Company, the petitioners in that matter, have now requested that the Planning Commission modify their approval resolution in order to enable the required cross-access easement to extend to the west property line in the area adjacent to Big Beaver Road, rather than in the area north of the proposed southerly building. In Stuart Frankel's letter requesting this modification, he indicates that his proposed cross-access location would enable people to move to and from the site easier without having to traverse the balance of the site. On-site congestion would therefore be minimized.

Stuart Frankel was present in support of his request. He confirmed his opinion that the proposed revised cross-access pattern would simplify traffic circulation on the site. Mr. Storrs commented that he saw no problem with the proposed modification. Mrs. Beltramini noted that the proposed cross-access location would ultimately enable motorists to move from the Elk's Club site to the east, to the small office site west of the Frankel property.

Moved by: Kramer

Seconded by: Storrs

RESOLVED, that the resolution as adopted on January 9, 2001, granting Preliminary Site Plan Approval to the construction of two single-story office buildings on a 1.26-acre site on the north side of Big Beaver, east of Rochester Road, is hereby modified as requested by the petitioner in order to enable the required cross-access easement extending to the west property line to be located in the area south of the proposed southerly building.

Yeas: All Present (6)

Nays: None

Absent: Littman  
Waller  
Wright

## MOTION CARRIED

### STUDY ITEMS

#### 5. BOARD OF ZONING APPEALS REPORT

Mr. Storrs commented on two of the items recently considered by the Board of Zoning Appeals. He noted that the Choice Group has withdrawn their request for setback variances in relation to their proposed residential condominium development on Wattles Road at Finch Drive. The Board denied a request for a 2-1/2 foot yard encroachment related to a home expansion which has already been constructed.

Mr. Storrs noted that the Board of Zoning Appeals may postpone it's April 17<sup>th</sup> Meeting until April 24<sup>th</sup>, due to the Easter Holidays. He further advised the Commission that Jim Giachino has resigned from the Board, and that Carmen Milia does not want to be reappointed when his current term expires.

#### 6. CURRENT DEVELOPMENT REPORT

Mr. Keisling advised the Commission that the City Council recently approved the R-1B to R-1T rezoning request on the north side of Long Lake Road west of Livernois, and the second R-1C to O-1 request on the west side of Dequindre south of Wattles. A letter was recently received from the MDEQ, indicating that they have changed their position regarding the status of the Houghten Drain within the proposed Shady Creek North Site Condominium parcel. It is now their position that the Drain is a "stream" in terms of the Wetland Protection Act provisions. The developers have not as yet advised the staff as to the direction which they propose to follow in this matter, on which action was originally tabled to the April Regular Meeting.

In response to Mr. Kramer's question, Ms. Bluhm indicated that the required escrow deposit covering improvements on the residential portion of the Mid-Town Square development site (southwest quadrant of Maple and Coolidge) has been received. Mr. Keisling noted that the residential building plans submitted to date indicate that the proposed buildings will exceed the height limit contained in the Consent Judgement which controls the development of this property. A Consent Judgement modification may be necessary.

#### 7. DOWNTOWN DEVELOPMENT AUTHORITY REPORT

Mr. Chamberlain commented on the joint meeting recently held between the City Council and the Downtown Development Authority. Although the DDA was seeking guidance from the City Council as to the elements which they felt should be included within the Civic Center development, such guidance was not received. Mr. Chamberlain

felt that the content of the meeting amounted basically to an historical summary of activities related to the Civic Center site to date.

8. PROPOSED PLANNED UNIT DEVELOPMENT – East side of Rochester, south of South Boulevard – Section 2

Mr. Keisling explained that the Troy Baptist Church, along with Robertson Brothers Company, have submitted a preliminary proposal for development of the 80-acre Troy Baptist property on the east side of Rochester Road south of South Boulevard. This site has approximately a quarter-mile of frontage on Rochester Road and extends east from Rochester approximately one half mile. Troy Baptist also owns a series of lots immediately north of the 80-acres site, on the north side of the platted by unopened one half-width Lovell Street right-of-way. The proposed development includes a church complex, an approximate 5-acre area proposed for low rise office use, and approximately 20 acres of residential condominium development. Jim Jehle of Robertson Brothers, on behalf of the petitioners has indicated that they feel that this development proposal may represent a reasonable application of the City's Planned Unit Development provisions (Article XXXV of the Zoning Ordinance). They are, however, interested in having a preliminary discussion of this proposal with the Planning Commission, in order to obtain the Commission's input, along with that of staff, as to the appropriateness of this development as a PUD project, along with the appropriateness of the variety and extent of uses proposed. They have formally filed applications both for Rezoning and for Special use Approval (in relation to a PUD proposal and a Church proposal), with the idea that the exact direction of their application could be determined following the preliminary discussion with the Planning Commission. Recognizing that a preliminary discussion such as that now proposed is somewhat unusual, it is once again the staff's position that such an approach would be reasonable considering the nature and scale of the property and the proposed development. The Commission had received copies of plans and surveys covering the site, along with the Preliminary Environmental Impact Statement. Mr. Keisling noted that these materials have not as yet been distributed to related staff members due in part to the fact that the nature and direction of this development proposal may change as a result of the preliminary discussion.

At the Chairman's request, Mr. Keisling summarized some of the Planning Department's comments regarding the applicability of the PUD provisions to this proposal, as follows:

1. Several portions of the PUD provisions indicate that the resultant development will be consistent with the direction of the Master Land Use Plan. The density and extent of the proposed residential condominium development is clearly in conflict with the Plan. Even though one of the staff's proposals for a Plan Amendment would indicate Medium-Density Residential use in Rochester Road frontage, such use would certainly not be intended to extend one-half mile east from the frontage.
2. The PUD provisions state that such an approach "— — — shall not be utilized in situations where the same land use objectives can be accomplished by the application of conventional zoning provisions or standards." The proposed uses

could apparently be readily implemented through the use of conventional zoning provisions or standards.

3. Among the "Eligibility" provisions of the PUD text is the objective of bringing about "— — a public improvement, or other facility used by the public, which could not otherwise be required, that would further the public health, safety and welfare or protect existing or future uses from the impacts of the proposed uses." Mr. Keisling was not aware of any such proposed improvement or facility as a part of the proposed development.
4. The staff was concerned about the establishment of an office use in this portion of the Rochester Road frontage, considering recent actions to deny such zoning in the area to the north along Rochester Road and in the area across Rochester Road opposite the center of the Troy Baptist property.
5. The City Council has historically taken the position that alternative development approaches, including additional density, should not be used for the purpose of "preserving" a natural feature area which would be preserved in any event without such an action (wetlands, flood plain, etc.)

Andrew Milia, one of the partners in the proposed development, was present along with representatives of the Troy Baptist Church and Robertson Brothers Company. He introduced Doug Schmidt, Pastor of the Troy Baptist Church, who summarized the 52-year history of that Church in Troy and, in particular, their growth during his involvement there over the past decade. He also commented on their search for a site, and their desire to remain in Troy.

Paul Robertson Jr., President of Robertson Brothers Company, was present along with Jim Jehle and Jim Clarke, of Robertson Brothers. He noted that their history in Troy is just 50 years in length, and that they have looked for a good site for quite some time for an "Adams Woods" or "Heathers" type of project. They made proposals for developments in the area of the City's proposed golf course in Section 1 and the Civic Center, but the City chose not to have anyone proceed with those projects. He then proceeded to describe the proposed development in conjunction with Troy Baptist Church, noting that the Rochester Road frontage is not a good residential location. They have therefore proposed an office site to buffer the Church from the Alibi Restaurant to the north and to buffer their proposed residential development from Rochester Road. He felt that a Planned Unit Development would be the best way to implement a development such as that proposed. They are attempting to acquire the remaining lots on the north side of Lovell so that they can expand the residential condominium portion of the project. He then summarized the nature of the proposed condominium development. He noted that if adequate area is available for residential construction, they would be able to minimize filling of the flood plain area.

In response to Mr. Storrs questions, Mr. Robertson commented that he felt that they had a 90% chance of being able to assemble the remainder of the lots along the north side of the platted Lovell Street right-of-way. The present concept plan indicates approximately 104 condominium units. In response to Mr. Reece's question, Mr. Robertson commented that if they were able to expand the site, and could construct

approximately 150 units, they could potentially include a clubhouse and pool in the proposed development. In response to Mr. Kramer's question as to why the PUD provisions would fit a development such as that proposed, Mr. Robertson stated that the provisions provide development flexibility, provide more control for the City, and enable a positive development for this unique 80-acre site with its extensive flood plain and wetland areas, etc. He further noted that his company has done approximately five or six PUD type developments. In response to Mr. Reece's question regarding the seating capacity of the proposed church complex, Pastor Schmidt indicated that a capacity of 1500 was proposed at this time. Mr. Chamberlain felt that the Commission should look at why a PUD would work in this area, rather than why it would not work. He recognized that the proposed office use could lead to more office use in this area, but felt that the overall result would be a win-win situation. At the close of the Commission's discussion, in response to an inquiry from the Chairman, the Commission members generally indicated their support for using the PUD provisions at this location.

#### 9. PROPOSED WETLANDS AND NATURAL FEATURES PROTECTION ORDINANCES

Mr. Keisling noted that, at the February 13, 2001 Study Meeting, the Planning Commission began their review of the proposed Wetlands Ordinance and Natural Features Protection Ordinance, as developed by an informal committee consisting of City staff members, area residents, and interested parties. As indicated at that time, input regarding these proposed ordinances was sought and received from representatives of the "development community." Their comments were summarized and conveyed to the Commission in a memorandum dated February 19, 2001. On Thursday, March 8<sup>th</sup>, 2001 the informal committee met with the development community representatives so that they could jointly discuss the indicated concerns. At that time, the group also discussed the staff memorandum and flow chart dated February 22, 2001, which the Planning Commission had received previous to the February Study Meeting. In addition to the comments contained in that memorandum, Mark Stimac has proposed a revision to Section 37.07-C of the Wetland Ordinance and to Section 38.11 of the Natural Features Protection Ordinance, related to building additions or alternations which would clearly not impact natural feature areas. Mr. Keisling asked that the Commission advise him of any additional comments or suggestions which they might have relative to the proposed Ordinances, in preparation for formal consideration of and action on these proposals in the near future.

Chairman Beltramini noted the letter which had been received from Dave Waller, conveying his comments due to his inability to attend this meeting. Mrs. Beltramini stated that the Ordinance review and adoption process cannot proceed without the availability of a Wetlands and Natural Features Map to accompany the proposed text.

Mr. Keisling noted the concerns which had previously been expressed by Commission members and others regarding the very broad definition of Wetlands smaller than two acres which appears as Sub-Section 2-C of the proposed Wetlands Ordinance. He suggested that consideration should be given to deleting Wetlands smaller than two acres from the control of the proposed Ordinance. As to the question of resolving potential conflicts in relation to a Wetland Determination, Mr. Miller confirmed the staff's position that the Determination must occur before any development review application is submitted. Mr. Chamberlain noted that sentences such as those contained in Sections



37.07-A and 37.08-D of the Wetlands Ordinance are far too long, and must be shortened and clarified. Mrs. Beltramini noted that the proposed Ordinances do not adequately address storm water management functions and benefits. Mr. Keisling noted that the city staff is in the process of developing approaches and procedures regarding the increasing requirements related to storm water management. Mr. Storrs later noted that the City should consider modifying their standards in order to release storm water at a rate less than the agricultural rate.

At the close of the discussion, it was determined that the proposed completed Ordinance documents would next be presented to the Planning Commission when the related Wetlands and Natural Features Map is also available.

#### 10. PROPOSED FUTURE LAND USE PLAN MAP

Mr. Keisling explained that, in recent Study Meetings, the staff has been gathering suggestions relative to areas where Future Land Use Plan amendments could or should be considered. At the January 23, 2001 Study Meeting, a map indicating only potential amendment locations and configurations was presented and discussed. Ron Figlan has now prepared a draft revised Future Land Use Plan Map, wherein those proposed amendments have been melded into the present Master Land Use Plan Map. A copy of this draft map was distributed to the Commission for review and comment. Staff will also convey a copy of this map to the Troy School District, along with a request for their input as to the future directions which should be indicated for "Proposed School Sites" on the present plan which most likely will not be used for that purpose in the future. Comments will also be requested from related city staff, and from the Road Commission for Oakland County, in relation to the extent of rights-of-way indicated on the Thoroughfare Element of the Plan. With completion of the gathering of comments from these various sources, staff will then have a Land Use Plan upon which projections of the ultimate extent of various types of development can be based. These projections will then also be an integral part of the explanatory text which is intended to accompany the updated Future Land Use Plan.

In the course of the Commission's discussion, Mr. Chamberlain, Mrs. Beltramini, and other Commission members noted several items which should be added to the Plan, or considered in conjunction with development of the updated Future Land Use Plan and it's accompanying text, as follows:

- 1: Additional maps depicting items such as the Thoroughfare Plan, and the Walkway/Bikeway Plan (including the previously proposed Big Beaver Corridor Urban Design Plan).
- 2: Explanatory information related to previously adopted Local Area Plans, and areas where modified thoroughfare plans have been adopted such as in the Long Lake – Rochester and Long Lake – Livernois intersection areas.
- 3: Supporting text or cross-referencing of elements such as the "Scenic Parkway" designation in the Beach Road area.



- 4: Potential additional designated "Transit Corridors", with the additional input of Mr. Littman, and County and Regional Agencies.
- 5: Further study and discussion as to the Master Plan designation in the Long Lake/John R. and Big Beaver/John R intersection areas.
- 6: Review of the "Preservation Areas" indicated on the map, in order to determine matters such as the following:
  - a. Whether these areas could be used as a basis for development of a City-wide "Tree Preservation Plan".
  - b. Whether some of these areas should be eliminated from the Plan as a result of development which has occurred since their inclusion.

Staff was requested to reactivate efforts to hold a joint meeting with the City of Sterling Heights Planning Commission.

Mr. Chamberlain noted that the City Development Standards should be modified to indicate the requirement for the construction of 8 foot wide sidewalks across all major thoroughfare frontages.

The meeting was adjourned at 10:20 PM

Respectfully submitted,

Laurence G. Keisling  
Planning Director

**DRAFT**

**TROY DAZE MINUTES  
MARCH 27, 2001**

**Called to order** at 7:37PM by Bob Berk.

Present:	Cele Dilley	Cheryl Whitton-Kaszubski
	Bill Hall	Steve Zvasislak
	Kessie Kaltsounis	Dave Swanson
	Jeff Biegler	Bob Berk
	Eldon Thompson	Cindy Stewart
	Jeff Stewart	Tonya Perry
	Jim Cyrulewski	

Chairpersons & Guests:	Gail Anderson	JoAnn Preston
	Tom Kaszubski	Dave Lambert
	Robert Preston	Jeff Winiarski
	Tarcicio Massaini	Gloria Whicker
	Lois Cyrulewski	Diane Mitchell

Absent: Sue Bishop and Dick Tharp

**Secretary Report** –Motion by Eldon, second by Cheryl, and passed to accept minutes.

**New Business** – None.

**Old Business** – BORROWING TROY DAZE PROPERTY – Motion by Eldon, second by Cele, and carried to not lend property subject to City Council approval.

JAYCEES REQUEST TO SELL BRACELET LIGHT UP DEVICES AT FIREWORKS –  
No, the fireworks is a pilot program this year and as such should not have any extra activities.

7:58PM - Meeting adjourned.

**March Festival Committee Meeting** called to order at 7:59PM by Bob Berk.

**Minutes** – Motion by Cheryl, second by Eldon, and passed to accept minutes as printed.

**Treasurers Report** – Cheryl reports City shows revenue as \$115,489.99.00 and expenses as \$141,011.89. The deficit could be \$16,000.00 due largely to extremely poor weather conditions and the City contractual services being more than usual, also due to the weather conditions.

**Correspondence** – March meeting notice to committee & newspapers. Letter to Congressman Levin requesting a flag. Received a memo from Carla Vaughan requesting any updating for the summer Troy Today.

**Events Chairpersons Reports** – None.

**New Business** – PARADE ROUTE CHANGE – Motion by Eldon, second by Kessie, and passed to change parade route to Crooks Road and to change start time to 2:00PM.

RIDE VENDOR SELECTION – Three companies, Arnold's, Pugh Shows, and Skerbeck submitted proposals, Skerbeck is not available for September 2000. Both Arnold's and Pugh Shows seem relatively close financially. Pugh Shows may possibly be somewhat better. Motion by Eldon, second by Jim, and verbally defeated, to accept Pugh Shows proposal and give them a three (3) year contract. A revote was called using a show of hands. Again the motion was defeated with one (1) for and three (3) against.

Discussion followed giving reasons why the majority of advisory board prefers accepting Arnold's proposal. Reasons given include previous satisfaction, proven track record, and the possible similarity in financials. Motion by Jim, second by Cele, and carried to recommend to Purchasing that the City accept Arnold's proposal for a three (3) year contract.

MISSION/OBJECTIVES MEETING – Eldon reminded the participants the meeting would be at Walsh College on 3-28-01 from 1:00 to 5:00PM and will adhere to a strict time schedule.

FINANCIAL IMPACT STUDY – Eldon reported that the Grad Students at Walsh College are being assigned a class project to do a cost benefit, financial impact study on Troy Daze.

**Old Business** – FIREWORKS MEETING – Parks, Fire, Police, and Troy Daze members met on March 9<sup>th</sup>, to discuss various aspects of having a fireworks, including time, limiting advertising, parking, if amusements to stay open. Also discussed the fact that since this is a pilot program there is no way to know exactly what to expect and may need contingency plans.

CORPORATE SPONSOR SUB-COMMITTEE MEETINGS – The Committee met the week of March 19<sup>th</sup> with Lori from the Eccentric. She gave 7-17-01 as a deadline for ads for the booklet. She also recommends providing the criteria for ads on disc or hardcopy. \$21,900.00 has been received or promised so far from Corporate Sponsors and of course still working on contacting and receiving more sponsors.

MILESTONE SCHEDULE – Various correspondence, meetings, and deadlines per schedule in packet.

LAYOUT – Look into using an extra large stage or dual stages for entertainment tent to create flexibility of start times.

9:47PM - Motion by Cheryl, second by Bill, and carried to adjourn.

**Next** Troy Daze Advisory Committee meeting is on Tuesday, April 24, 2001 at 7:30PM to be followed by Festival Committee Meeting.

**PRESENT:** Ted Dziurman    Mark Stimac  
Rick Sinclair    Pam Pasternak  
Bill Need  
Rick Kessler  
Frank Zuazo

**ITEM #3**

This item was moved to the end of the agenda, Item #5, to allow the petitioner the opportunity to be present.

**ITEM #4 – VARIANCE REQUESTED. JUDY KENNEDY OF GULF GLENWOOD, LLC, REPRESENTING THE ESTATE OF GAIL LAABS, 38695 DEQUINDRE,** for relief of Chapter 83 to erect a privacy fence.

Mr. Stimac explained that the petitioner is developing a new single-family residential subdivision adjacent to the property at 38695 Dequindre. With the development of that subdivision a new street is being constructed adjacent to this existing home making the lot a double front corner lot. They are requesting relief of Chapter 83 to erect a 6' high privacy fence along the north property line along the new street Ashbury. Chapter 83 limits the height of fences to 30 inches in that portion of the property in front of the building setback line.

Ms. Judy Kennedy and Mr. Gary Workman of Gulf Glenwood, LLC were present and stated that due to the development of the new subdivision, the new homeowner is requesting this fence in order to maintain his privacy. The entrance to the subdivision will be the entire length of this lot. Ms. Kennedy stated that the privacy fence would cut down on both the noise and lights of incoming traffic. Ms. Kennedy further stated that in order for the homeowner not to lose a majority of his yard, the fence would have to be installed in this location and she also said that they plan to put some landscaping along the fence.

Mr. Dziurman asked if landscaping could be used instead of the fence and Ms. Kennedy replied that the only place that they could install landscaping was in the right of way. Due to the sidewalk they could not plant evergreens that are low to the ground. Mr. Dziurman stated that he did not like the fact that it would look like a row of fences. Ms. Kennedy stated that on the north side of the property the plan is to put in a row of trees. Mr. Need asked what the possibility would be of moving the fence to the south and putting in evergreens. Ms. Kennedy stated that they are not opposed to this; however, the homeowner has requested that a fence be installed. Ms. Kennedy also said that they would like to be responsible for the upkeep of the fence and any evergreens that will be planted. Ms. Kennedy also indicated that she believed that the homeowner would be opposed to moving the fence in more, due to the fact that he would lose more of his yard.

The Public Hearing was opened. No one wished to be heard and the Public Hearing was closed.

**ITEM #4**

There are no written approvals or objections in file.

Motion by Need

Supported by Kessler

MOVED, to table the request of Judy Kennedy, representing Gail Laabs, 38695 Dequindre for relief of Chapter 83 to erect a privacy fence until the next meeting of May 2, 2001.

- Would like to see if petitioner could put fence in with a 20' to 25' easement along the property line.
- Minimize the tunneling effect of privacy fences.
- To allow petitioner to design a plan which would have more landscaping.

Yeas: 4 – Dziurman, Kessler, Need, Zuazo

Nays: 1 – Sinclair

MOTION TO TABLE THE REQUEST OF JUDY KENNEDY OF GULF GLENWOOD LLC TO THE NEXT MEETING OF MAY 2, 2001 CARRIED

**ITEM #5 (ITEM #3)**

**VARIANCE REQUESTED. ALCUIN C. ARCHE, JR., 2983 DASHWOOD,** for relief of Chapter 83 to erect a privacy fence in a required front yard.

Petitioner is requesting relief of Chapter 83 to erect a privacy fence at 2983 Dashwood. This lot is a double front corner lot. Chapter 83 limits the height of fences to 30 inches in that portion of the property in front of the building setback line. The permit application submitted proposes a 4'-6" high privacy fence in the front yard setback along Dequindre.

This item was moved to the end of the agenda, Item #5, to allow the petitioner the opportunity to be present.

Mr. and Mrs. Arche and Mr. Michael Taylor were present. Mr. Taylor of Taylor Fence Company stated that the type of fence the petitioner wished to install was a lattice type of fence. Mrs. Arche stated that the reason they wanted the fence was for safety purposes. Mrs. Arche further stated that they live on a very busy corner and have found that 4-wheelers cut across the corner of their property to get to Dequindre and she is concerned due to the fact that they have a small child and would like him to have a safe environment to play in. Mrs. Arche also said that before they had purchased this property they had a discussion with Mr. Ron Hynd of the City and asked him if there

**ITEM #5 (ITEM #3)**

would be restrictions on putting up a fence. Mrs. Arche said that Mr. Hynd indicated that there would not be a problem putting a fence in this area.

Mr. Zuazo asked if there was a home located on the north side of their home and Mrs. Arche stated that there was and that she had spoken to the neighbor and did not believe that he objected to the installation of this fence. Mr. Taylor stated that if there were an objection, they would be willing to move the fence farther back to accommodate the neighbor.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are two written approvals on file. It was noted that the neighbor on the north side approved of the request, but also stated that he was concerned about visibility. Mr. Taylor brought out a sample of the fence they planned to use and showed that it was an open type of lattice fence.

There are no written objections on file.

Mr. Need asked if they planned to add more fencing at a future date and Mrs. Arche indicated that they did plan on more fencing at a later date, however, they were more concerned with the area right now. Mr. Arche also said that since their driveway is the first one off of Dequindre, he is concerned about safety because of the number of cars that use their driveway as a turn around.

Motion by Need  
Supported by Sinclair

MOVED, to grant Alcuin C. Arche, Jr., 2983 Dashwood, relief of Chapter 83 to erect a 4'-6" high privacy fence in the required front yard.

- Variance will provide a measure of safety for their child.
- Variance is not contrary to public interest.
- Variance will not have an adverse effect on surrounding property.

Yeas: All – 5

MOTION TO GRANT VARIANCE CARRIED

The Building Code Board of Appeals was adjourned at 8:50 A.M.

MS/pp



MINUTES—DRAFT

TROY PUBLIC LIBRARY  
ADVISORY BOARD MINUTES  
April 5, 2001

The meeting was called to order at 7:30 p.m. by Lynne Gregory, President.

PRESENT: David Cloyd  
Margaret Gaffney  
Lynne Gregory  
Fern Nelsen  
Michael Gladysz – Student Representative

STAFF: Brian Stoutenburg, Library Director

Nancy Wheeler were excused on a MOTION by David Cloyd. SECONDED by Fern Nelsen. 4 Ayes. MOTION CARRIED.

The Minutes of the March 8, 2001 meeting were approved on a MOTION by Fern Nelsen. SECONDED by David Cloyd. 4 Ayes. MOTION CARRIED.

The Agenda was approved on a MOTION by Margaret Gaffney, SECONDED by David Cloyd. 4 Ayes. MOTION CARRIED.

POSTPONED ITEMS

- A. Discussion of Collection Development & Management Plan.
- B. Discussion was postponed until the May meeting since the agenda packet was not received in sufficient time for Board members to adequately review.

REGULAR BUSINESS

- A. Discussion of space reorganization.  
Bids were opened on April 3, 2001 and 3 bids were submitted, and all were under budget. The low bid was submitted by CA Cedroni Associates from Utica in the amount of \$134,310. This will go to Council April 9, 2001 for their award approval.
- B. Appointment of Nominating Committee.  
Lynne Gregory appointed Margaret Gaffney and David Cloyd as the Nominating Committee for officers of the Library Advisory Board.
- C. Cultural Education Work Group.  
Upon her approval, Nancy Wheeler was appointed to be the Library Advisory Board representative to the Cultural Education Work Group. One representative each from the Library Advisory Board, the Friends of the Library, the Historical Commission, the Historic District Commission, the Historical Society and the Museum Guild will meet throughout the summer to develop an informational

brochure.

## REPORTS AND COMMUNICATIONS

### A. Director's Report.

The Director's Reports are attached.

### B. Board Member comments.

Lynne Gregory said he had spoken to Robert Lampertius who has exhibited art work at the Library, and Mr. Lampertius indicated that he would be interested in helping with a fund raiser for the Library. It was decided that this would be mentioned to the Friends of the Library.

Margaret Gaffney stated that the lighting in the videotape area was insufficient. This issue along with other lighting issues will hopefully be addressed in next year's budget.

David Cloyd announced that he would not be able to attend the May meeting.

### C. Suburban Library Cooperative.

Lynne Gregory reported that the cooperative was looking at outsourcing payroll functions, that new routers were to be purchased, that the Cooperative Aide was no longer employed by the cooperative, and SIRSI training would begin the end of April.

### D. Friends of the Troy Public Library.

The Friends finished the revision of their By-Laws.

### E. Monthly Reports (February).

Circulation for the month of March compared with the same time period a year ago showed an increase of 27.9%. There was an increase in Patron visits by 11.4% (a record was set as March saw the largest total number of visitors ever at 55,185), and program attendance was up 24.9%.

### F. Staff Changes.

Promotions: Roger Morton to Library Aide; Annette Ponichter to Library Aide;  
Karen Turk to Library Aide; Jeanette Smith to Acting Youth Librarian

Change of Status: Joyce Simowski to Substitute Librarian  
Pichih Lin to Library Assistant

### G. Gifts.

No gifts were received.

### H. Informational Items.

April TPL Calendar, Michigan Librarian (March/April 2001)

### I. Contacts and Correspondence

Sixteen written comments from the public were noted.

### J. Public Participation.

There was no public participation.

The meeting was adjourned at 8:15 p.m. on a MOTION by Fern Nelsen, SECONDED by David Cloyd. 4 Ayes. MOTION CARRIED.

Respectively submitted,

Brian Stoutenburg  
Library Director

# **TROY LIQUOR ADVISORY COMMITTEE MINUTES**

**Monday, April 9, 2001**

The meeting was called to order at 7:31 p.m. by Chairman Max Ehlert in Conference Room C.

PRESENT: David Balagna  
Max Ehlert  
W. Stan Godlewski  
James Moseley  
James Peard  
Jennifer Gilbert, Student Representative  
Sergeant George Zielinski  
Lynn McDaniel, Clerk-Typist

ABSENT: Thomas Sawyer  
John Walker

Moved by Balagna, seconded by Moseley to EXCUSE the absent member(s).  
APPROVED unanimously

Moved by Moseley, seconded by Peard to APPROVE the minutes of the March 12, 2001 meeting as printed.  
APPROVED unanimously

## **AGENDA ITEMS:**

1. **HOUSEFIELD, LLC** requests to transfer ownership of 1999 Class C licensed business, located in escrow at 28333 Grand River, Farmington Hills, MI 48336, Oakland County, from **BLAKENEY'S RANCH HOUSE, INC.**; and transfer location (governmental unit) (MCL 436.1531(1)) to 1941 W. Maple, Troy, MI 48084, Oakland County. [MLCC REF #99351]

Present to answer questions from the committee was Makato Ieda.

Mr. Ieda, sole owner of TAKE FIVE, passed out a packet of information to all of the members. The information included was a floor plan and menu for his new restaurant. Mr. Ieda has worked in the restaurant business as a chef and general manager for 30 years. He has been responsible for front line sales of alcohol at the restaurants he has managed. He pointed out the location of the alcohol storage area in the back of the restaurant.

Mr. Ieda presented a copy of the alcohol training program from the Capital Grille and plans to adopt it for his restaurant. He has also contacted other restaurants in Troy about their alcohol training programs that are in use. Mr. Ieda stated he will be at the restaurant

at all times during the first months of operation. One member asked if he had ever had any liquor violations at prior locations. Mr. Ieda stated he had never had a liquor violation.

One member asked how many people will be employed and Mr. Ieda answered they anticipate about 30 full and part-time employees with an estimated turnover rate of 20-30% per year.

Moved by Balagna, seconded by Peard, to APPROVE the above request.  
APPROVED unanimously

2. **CAFÉ SUSHI, LLC** requests to transfer ownership of 1998 Class C licensed business, located in escrow at 1536 Crooks, Clawson, MI 48017, Oakland County, from **ROY'S LOUNGE, INC.**; transfer location (governmental unit) (MCL 436.1531(1)) to 5 D, 1933 W. Maple, Troy, MI 48084, Oakland County; and requests a new Entertainment Permit and new Outdoor Service Permit. [MLCC REF #93228]

Present to answer questions from the committee were Shigeru Yamada, Fari Sanatgar, George Nakashima and Terrence Jolly.

Mr. Yamada is the owner of the Cherry Blossom in Novi, MI. He has had no alcohol violations at this location. Mr. Yamada, Mr. Sanatgar and Mr. Nakashima plan to open Café Sushi in the new Walmart strip mall. The restaurant will seat 166 patrons. Blueprints were presented to the committee that showed the sushi bar, alcohol bar and cooking bar located in the restaurant. The outdoor service request has been cancelled. Menus for Café Sushi will be similar to the Cherry Blossom menu. The hours of operation will be 11:30 a.m. to 2:00 p.m. and 5:30 p.m. – 10:30 p.m., Monday through Saturday and 4:00 p.m. – 10:00 pm. Sunday. One of the three owners of Café Sushi will be in attendance at all times of operation.

Mr. Yamada has a T.I.P.S. Trainer certificate and plans to train the employees. He does not have an Employee and Bartender Alcohol Training Manual made up yet but plans to have one in place by opening of business, scheduled for November 2001. He plans to have one bartender serving alcohol.

Moved by Balagna, seconded by Moseley, to APPROVE the above request.  
APPROVED unanimously

Moved by Peard, seconded by Godlewski to ADJOURN the meeting at 8:10 p.m.

APPROVED unanimously

*ML/lm*

The Regular Meeting of the Troy City Planning Commission was called to order by Vice-Chairman Chamberlain at 7:35 p.m. on Tuesday, April 10, 2001, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

**Present:** Chamberlain

Littman

Starr

Storrs

Waller

Wright

Kramer

**Absent:** Reece

(Mrs. Beltramini has resigned, due to her election to City Council.)

**Also Present:**

Mark F. Miller, Principal Planner

Lori Bluhm, Asst. City Attorney

Jordan Keoleian, Student Representative

Moved by Chamberlain

Seconded by Waller

RESOLVED, that Commissioner James Reece be excused from attendance at this meeting.

Yeas: All Present (7)

Nays: None

Absent:

Reece

MOTION CARRIED

2. MINUTES - Regular Meeting of March 13, 2001  
Special/Study Meeting of March 27, 2001

The Commission noted that no resolution had been presented or adopted at the March 13 Meeting in order to excuse Mr. Kramer from attendance at that Meeting.

Mr. Chamberlain stated that the Minutes of the March 27<sup>th</sup> Study Meeting should be revised to indicate that the Planning Commission generally indicated their support for using the PUD provisions as a basis for development of the Troy Baptist Church property on Rochester Road, south of South Boulevard.

Moved by Storrs

Seconded by Starr

RESOLVED, that the Minutes of the Regular Meeting of March 13, 2001 be approved as printed.

Yeas: Chamberlain  
Littman  
Starr  
Storrs  
Waller  
Wright

Abstained: Kramer

Absent: Reece

MOTION CARRIED

Moved by Kramer

Seconded by Storrs

RESOLVED, that the Minutes of the Special/Study Meeting of March 27<sup>th</sup> be approved as corrected.

Yeas: Chamberlain  
Kramer  
Starr  
Storrs  
Waller

Abstain: Littman  
Wright

Absent: Reece

MOTION CARRIED

Moved by Chamberlain

Seconded by Waller

RESOLVED, that Mr. Kramer be excused from attendance at the March 13, 2001 Regular Meeting.

Yeas: Chamberlain  
Littman  
Starr  
Storrs  
Waller  
Wright

Abstained: Kramer

Absent: Reece

MOTION CARRIED

3. PUBLIC COMMENTS –

No one wished to be heard.

Vice Chairman Chamberlain stated that Item 4 (Election of a Planning Commission Chairman for the balance of 2001) would be moved to the end of the Agenda.



### **TABLED ITEMS**

5. **SITE PLAN REVIEW** – Proposed Shady Creek North Site Condominium – North of Long Lake Road, West of Rochester Road – Section 10

Mr. Keisling explained that, following extensive discussion at the February 13, 2001 Regular Meeting, action was tabled on a request for Preliminary Plan Approval for a proposed Single-Family Residential Site Condominium to be known as Shady Creek North. The 3.7 Acre site is proposed to be developed into 10 single-family residential sites fronting on an easterly extension of Trillium Drive, between its present terminus and Somerton Road. The Commission's resolution at the February 13 meeting indicated that the tabling action would provide an opportunity to obtain additional information as to the status of the wetland and drain areas in this area. The intent of that resolution was further clarified by the Commission members to indicate that this tabling action should enable the following to occur:

1. An opportunity for the MDEQ to re-evaluate their position, regarding the nature of the Houghton Drain in the area of the subject site.
2. Information as to the existing and proposed topography in the area.
3. Information as to the existing and proposed storm systems in the area including information regarding the outflow from the Sylvan Glen Lake.
4. An opportunity for additional Commission members to visit the site.

Mr. Keisling noted the letter of March 15, 2001 from David Dortman of the Michigan Department of Environmental Quality, stating that the MDEQ has now reversed their original determination regarding the nature of the Houghton Drain in the area within and adjacent to the subject project. As the Houghton Drain now meets the definition of a "stream" in relation the State wetland Protection provisions, the Wetlands in this area are now regulated by the MDEQ in accordance with the State law. The proposed development would therefore require a permit from the MDEQ. In relation to the other matters listed in the Commission's February 13<sup>th</sup> Resolution, Mr. Keisling noted the plans which had just been distributed to the Commission indicating the existing and proposed grades within the site. The Commission had also received, with their Agenda, excerpts from the hydrology report on the site, including a hydrology map which indicated the northerly limit of the Houghton Drain in the area just north of the Shady Creek North Site. The Houghton Drain therefore, did not extend north to the Sylvan Glen Lake. Mr. Keisling had inquired with Mr. Dabrowski, the developer, as to whether they would be submitting an alternate plan which would not involve enclosure and relocation of the Houghton Drain through the site. Mr. Dabrowski did not indicate an intention to prepare such a plan.

April 10, 2001 PC Regular Meeting Minutes

Norman Hyman, Attorney, and Al Bayer of Nowak & Fraus, Consulting Engineers, were present representing the petitioners. Mr. Hyman stated that information items 2 and 3 requested by the Commission, in relation to the existing and proposed topography and

drainage systems, have been provided. Durant Development has applied for an MDEQ permit in relation to the proposed wetland and drain modifications within the site. He therefore requested that the Commission recommend that the City Council grant Preliminary Plan Approval

Mr. Bayer referred to the proposed plan, and noted that the Houghton Drain is now proposed to be enclosed within a 21 inch pipe, along the edge of the parcels, 2, 3, 8 and 9, returning to an open drain configuration at the rear of parcels 6 and 7. In response to Mr. Storrs question as to why the Drain could not be left open through the development site, Mr. Bayer commented that such an approach may cause them to lose three to four home sites. Mr. Storrs was also concerned about the existing and proposed grades in the area adjacent to the present end of Trillium Drive. In response to Mr. Littman's question as to whether wetland mitigation would be required, Mr. Bayer and Mr. Hyman stated that the MDEQ would determine whether mitigation would be necessary. Mr. Bayer noted that the two wetland areas within the site were just 0.12 and 0.07 acres in area. In response to Mr. Keisling's question as to whether the MDEQ permit request would involve the Wetland Outlot along Shady Creek Drive, Mr. Hyman commented that that question is premature at this time. Mr. Wright was concerned about the amount of fill proposed and about the potential for flooding in the adjacent area as a result of the filling and the drain enclosure. Mr. Chamberlain was concerned that the partial drain enclosure would cause silt buildup in the adjacent open drain areas. He and Mr. Wright were also concerned about the very shallow slope proposed for the drain enclosure. Mr. Bayer confirmed that some areas were proposed to involve 4 feet of fill. The 0.16% slope would, however, provide for proper water movement through the drain enclosure. Mr. Wright noted that the proposed drain slope amounted to only about 0.6 feet of fall in 500 feet. Mr. Storrs noted that the proposed house grade for Unit 6, was approximately 2 feet higher than the grade of the existing house immediately to the west, on the south side of Trillium Drive. In response to his question, Mr. Bayer confirmed that the grade of the site to the west would be matched at the west property line of the proposed development. Mr. Chamberlain stated that the Commission clearly did not have sufficient time to thoroughly review the information provided and that acting on the matter at this time would not be fair to either party. Mr. Storrs noted that his previous question regarding the effect of a potential overflow of the Sylvan Glen Lake had not as yet been answered.

Vice-Chairman Chamberlain stated that he would give other interested parties an opportunity to speak on this matter.

April 10, 2001 PC Regular Meeting Minutes

Ken Rose of 505 Trillium Drive asked that the Commission not rush to judgment on this matter. Within the past 60 days, since this matter was last considered, the MDEQ's position has changed. The last minute information received by the Commission has brought about some additional questions or matters which should be considered. As Spring approaches, additional evidence of wetlands in this area will appear. The petitioners may not get the MDEQ permit which they have requested. He asked whether a totally new submittal would be necessary due to the change of conditions.

Charlene Calabro of 488 Trillium Drive was concerned about potential flooding problems. She noted that in February, Mr. Dabrowski stated that there would be no significant filling in conjunction with the proposed development. The plan now presented indicates very substantial filling. She was also concerned about wetland

preservation, and noted that the open drain helps to enrich the wetlands. She also felt that further tabling action was in order to obtain the necessary additional information.

Sharon Bodek of 506 Trillium Drive stated that her home abutted the west edge of the proposed development. She has considerable water problems now, and is most concerned about the impact of filling and placing a building at a high elevation on their property to the east. When she and her neighbors built their homes, they were assured that the area to the east was a wetland and floodplain area, and that it would not be developed. In response to questions from the Commission, she noted that she had purchased her home from the builder and not from Durant Development. The developers have, however, shown no interest in the concerns of the homeowners which have been expressed over the years.

In response to Mr. Kramer's question as to whether the delineated wetlands would cause the loss of homesites, Mr. Keisling stated that the MDEQ would make that determination. In several previous cases in Troy, the MDEQ's requirements have caused the loss of home sites. Mr. Wright felt that the Engineering Department should confirm the adequacy of the proposed drain enclosure and its shallow slope. Mr. Storrs confirmed that he was still interested in an answer to his question regarding the potential overflow of the Sylvan Glen Lake. Mr. Chamberlain restated his concern about potential flooding and was also concerned about the effect of the proposed development on ground water. Mr. Littman noted that, since an MDEQ permit is necessary, further tabling of action on this matter in order to obtain additional information will not cause additional delay of the project. He was also concerned about how Mrs. Bodek's problem could be reduced. Mr. Storrs asked that a cross-section be provided in order to indicate the potential grading, including a drainage swale on the west edge of the site at proposed Unit #6. He also felt that consideration should be given to keeping the Houghton Drain open, as a potential amenity to the development.

Moved by Mr. Storrs

Seconded by Mr. Littman

RESOLVED, that action on the Preliminary Plan for the proposed Shady Creek North Site Condominium, in the area north of Long Lake Road west of Rochester Road, is hereby tabled until the May 1, 2001 Study Meeting, in order to provide an opportunity to obtain additional information, and to provide adequate time to review the information which has been presented to date. The additional information should include the following:

1. A cross-section indicating the grading and potential drainage swale area along the west edge of the site.
2. The impact of the potential overflow of the Sylvan Glen Lake.
3. A clear delineation of the wetlands on the site.
4. Information from the Engineering Department regarding the proposed shallow-sloped drain enclosure.

Yeas: All Present (7)  
Reece

Nays: None

Absent:

MOTION CARRIED

6. SITE PLAN REVIEW – Proposed Residential Condominium Development, South side of Wattles between Finch and I-75 – Section 21

Mr. Keisling explained that a Site Plan has been submitted for a proposed 33-unit attached Residential Condominium Development on a 6.2-acre L-shaped parcel having 720 feet of frontage on the south side of Wattles Road extending east from Finch Road to the Wattles Creek Condominium Development. The subject site has approximately 244 feet of frontage on Finch Road. The easterly portion of the site extends approximately 455 feet further to the south, for a total north-south net depth dimension from Wattles Road of approximately 699 feet. The petitioners are proposing a private street system to serve this development. In order to avoid placing still another intersection point in this already confusing portion of the Wattles Road frontage, the entrance street is proposed to extend east from Finch Road and then south to the south end of the site. In conjunction with this street access proposal, the developers are required to pave Finch Road across the frontage of their site north to Wattles, and to provide a deceleration lane at Wattles Road and Finch. (It was noted that a special assessment project has been approved for the paving of Finch Road between Wattles Road and the Washington Square Subdivision, and that construction is proposed within this year.) Section 12.50.04 of the Zoning Ordinance provides that the street system in all developments involving private streets shall be subject to the review and approval of the City Council, after receiving a recommendation from the Planning Commission. The City Council's action shall further be conditioned on the execution of an Agreement with the developer, assuring private ownership and maintenance of the private street elements, and precluding acceptance for maintenance of the private street elements by the City. The Finch Road right-of-way in this area is just 50 feet in width. In order to provide for a potential ultimate area available for street purposes of 60 feet in width, a 5-foot easement for public

utility and sidewalk purposes will be provided across the Finch Road frontage of the site. Sidewalks are proposed on both sides of the interior streets, as well as along the Finch and Wattles Road frontages. A four foot high landscaped berm is required along the Wattles Road frontage. The petitioners propose to modify this berm by providing partial retaining walls within portions of the berm area in order to enable more effective use of the areas adjacent to the rear of the units. Modifications of this type are available, subject to acceptance by the Planning Commission in accordance with Section 12.60.03 of the Zoning Ordinance. Mr. Keisling noted that the Site Plan should be modified to clearly indicate a cross-access easement extending along the proposed street from Finch Road to the east property line. The interior sidewalks should also be extended to the east property line. With these modifications, and subject to the acceptability of the berm modification proposal by the Commission, all applicable Zoning Ordinance requirements are complied with and approval of this Site Plan was recommended.

In response to Mr. Littman's questions regarding perimeter screening, Mr. Keisling stated that the only time a screen wall would be required would be in order to screen a parking lot. Mr. Littman's primary concern related to the provision of screening between the proposed boulevard entrance street and the residential site immediately to the south. In response to Mr. Wright's question, Mr. Keisling commented that "direct vented" fireplaces which do not extend to the ground are permitted to extend into required yards. Mr. Kramer felt that a cross-access easement should also be extended to the south

property line along the proposed street. Mr. Waller inquired as to whether the open drain in the area to the south would extend through the proposed detention basin.

Joe Chehayeb was present representing the Choice Development Group, along with Dave Donnellon, their architect. They explained that the proposed detention basin would be a "dry basin", and that it would probably be oversized and would thus provide storage for storms in excess of a ten-year event. Mr. Donnellon stated that they do propose to provide a planting screen in the area south of the entrance street. They are also discussing the placing of plant materials on the home site directly across Finch from the entrance street. Mr. Chehayeb noted that that had recently met with the neighbors in order to discuss their proposed development, and to respond to their concerns. In response to Mr. Storrs question, Mr. Donnellon explained that, even though a rear yard drain system is not literally required, such will be provided. It is their intention to match the grades at the perimeter of the site, and to provide property line swales if the land adjacent slopes to the property line. Mr. Starr inquired as to whether the boulevard entrance street could be eliminated, or reduced in width, in order to place it further away from the residential neighbor to the south. Mr. Donnellon commented that they would strongly prefer to maintain a boulevard entrance street design as an amenity to the site. They could, however, investigate reducing the width of the cross-section in order to move the pavement further away from the home to the south.



April 10, 2001 PC Regular Meeting Minutes

Ralph Koerber of 3540 Old Creek Drive expressed concern about the proposed drainage system. He noted that the developers had been in negotiation with the Wattles Creek Condominium Association regarding a drainage easement which would enable an enclosed pipe to cross their common property line (under the privacy wall). He was concerned about potential hydrostatic pressure as a result of this storm drain system, and was also concerned with the adequacy of the proposed detention basin. Mr. Chehayeb and Mr. Donnellon noted that the final storm system design has not as yet been completed. They did note, however, that the retention basin site is several feet lower than the proposed condominium site and that the proposed storm drain would most likely be 4 feet to 8 feet underground. In response to Mr. Kramer's question, Mr. Donnellon indicated that the developers had no objection to the provision of a cross-access easement which would extend both to the east and to the south property lines.

Moved by Waller

Seconded by Kramer

RESOLVED, that Preliminary Site Plan Approval, as requested for the construction of a 33-unit Residential Condominium Development on a 6.2-acre R-1T Zoned Site on the south side of Wattles Road between Finch Road and I-75 is hereby granted, subject to the condition that a cross-access easement be provided, extending from Finch Road to the east and south property lines.

Yeas: All Present (7)

Absent: Reece

MOTION CARRIED

Moved by Waller

Seconded by Wright

RESOLVED, that the Planning Commission hereby recommends to the City Council that the private street system proposed to serve the Wattles Park Condominium Development, on the south side of Wattles Road between Finch Road and I-75, be approved in accordance with the Site Plan as presented on this date and in accordance with the provisions of Section 12.50.04 of the Zoning Ordinance, subject to the provision of street, sidewalk, and utility easements as determined to be necessary by the City staff, and subject further to the provision of a cross-access easement extending from Finch Road to the east and south property lines.

Yeas: All Present (7)

Absent: Reece

MOTION CARRIED

7. SITE PLAN REVIEW – Proposed Residential Condominium Development – North side of Long Lake Road, west of Livernois – Section 9.

Mr. Keisling explained that a Site Plan has been submitted for the construction of 30-unit Residential Condominium Development on a 5.9-acre R-1T zoned site

## April 10, 2001 PC Regular Meeting Minutes

having 760 feet of frontage on the north side of Long Lake Road, west of Livernois. The subject site extends east from Wright Street to the Charleston Club Condominium Development which is currently under construction, and includes a portion of the 50-foot wide platted but unopened Virgilia Street right-of-way. A request for vacation of this right-of-way appears as the next item on this agenda. The site also includes a small City-owned parcel at the northeast corner of Long Lake Road and Wright Street which is a remnant from the right-of-way acquisition for the recent Long Lake Road improvement. After considering several street pattern alternatives, including use of Wright Street and opening of Virgilia Street, the developer, Joseph Maniaci, is proposing a totally private street system with its sole public street access from Long Lake Road. The private street is also proposed to connect to the private street within the abutting Charleston Club Condominium site, thus providing alternative Long Lake Road access points for both developments. The Plan, as originally submitted indicated a turn-around at the west end of the site which would be similar in dimension to the temporary turn-around design which is being used in recent subdivisions. The Planning Department and the Fire Department staff members are now proposing that this turn-around be revised to a flare or V-type design, which would provide the same turn-around capability while requiring less paved area. Once again, proposals for the development of private street systems require the review and approval of the City Council, after receiving a recommendation from the Planning Commission, in accordance with Section 12.50.04 of the Zoning Ordinance.

Mr. Keisling noted that the 150-foot wide planned right-of-way for Long Lake Road in this area requires the placement of a 5-foot berm across the Long Lake frontage, with a specified evergreen tree planting standard as set forth in Section 12.60.03 of the Zoning

Ordinance. The developer has proposed that this berm design be modified to include a screening/retaining wall at the interior edge of the berm, so that the full 50-foot width will not be necessary and the area immediately to the north, adjacent to the rear of the dwelling units, can be more effectively used by the residents. Two shallow-sloped

unfenced unfenced storm water detention basins are proposed at the east end of the site. As in the case of the site to the east, a cross-access easement is recommended extending

north from Long Lake Road and then east to the east boundary of the site in order to provide for the recommended site inter-connection. All applicable Ordinance requirements are complied with and approval of this site plan was recommended, subject to completion of the necessary street vacation action.

Mr. Keisling explained that Frank Bronzetti and Mike Guerra, owners and developers of the Charleston Club Condominium site abutting to the east, have expressed objections to the requirement to inter-connect the street system of their complex with that of the proposed condominium development. They have

April 10, 2001 PC Regular Meeting Minutes

asked for an opportunity to discuss their concerns with the Planning Commission, and potentially to have the requirement for a cross-access easement and connection within the Charleston Club complex eliminated. In order to cooperatively provide for this opportunity, Mr. Maniaci has submitted an alternate plan which indicates a turn-around at the east end of the proposed street system, as well as at the west end adjacent to Wright Street. Although staff recognizes that the proposed inter-connection between these two developments may require some document modification or adjustment of understanding on the part of the existing and potential owners within the Charleston Club complex, it was their strong recommendation that the inter-connection be a part of the plan approval action. If the Commission takes the position that inter-connection is not necessary, it would then be the recommendation of staff that a street connection to Wright Street be provided in order to assure adequate access to the proposed 30-unit development.

Joe Maniaci, the petitioner and developer, was present along with Ron Mayotte, his architect. Mr. Maniaci indicated that the density of his proposed development was approximately 17% less than the maximum permitted by R-1T Zoning. The dual storm water detention basins are proposed in order to be more aesthetically pleasing. He would have no objection to either of the alternative street patterns (with or without a connection to the development to the east). In response to a question from the Commission, he confirmed that it was his intention to provide a walkway connection to the Virgilia Street right-of-way to the north. The exact location of that connection would depend on the ultimate form of the potential south end of the Virgilia Street right-of-way.

Frank Bronzetti and Mike Guerra, owners of the Charleston Club Condominium Development to the east, were present. Mr. Bronzetti confirmed his objections to the proposed inter-connection of the street systems. He noted that his site plan indicated a wall along the west boundary of his site, and that the provision of a cross-access easement was a condition of Site Plan Approval with which he did not agree. He felt that neither development needed the proposed cross-connection. He further felt that the provision of such a street pattern would cause future arguments between the two condominium developments regarding maintenance, damage, etc. In response to Mr. Kramer's question regarding the acceptability of a sidewalk connection between the two developments, Mr. Bronzetti stated that such was not necessary. Mr. Chamberlain expressed concern about the potential creation of small walled "fortresses".

The Commission discussed the treatment of the area immediately adjacent to Wright Street, and noted the proposed provision of an emergency access facility in that area through the use of "grass pavers." In response to a question from the Commission, Mr.

Mayotte indicated that he has had experience with the use of such elements in various developments, including the Bingham Woods project on 13 Mile Road near Telegraph



April 10, 2001 PC Regular Meeting Minutes

Road. Some of the Commission members also felt that the proposed pedestrian connection to the Virgilia Street right-of-way should involve a public sidewalk. Mr.

Chamberlain felt that a sidewalk connection between the two condominium developments may be adequate rather than a street connection.

Moved by Wright

Seconded by Storrs

RESOLVED, that the Preliminary Site Plan Approval, as requested for the construction of a 30-unit residential condominium development on a 5.9-acre R-1T zoned site having 760 feet of frontage on the north side of Long Lake, west of Livernois is hereby granted, subject to completion of the necessary street vacation actions, and subject further to the following conditions:

1. Inter-connection of the proposed street system with the street system of the condominium development immediately to the east, along with an accompanying cross-access easement.
2. The provision of a turn-around at the westerly end of the development, adjacent to Wright Street, in a configuration acceptable to the Fire Department.
3. The provision of a public sidewalk extending from Long Lake Road through the proposed development, to the modified Virgilia Avenue right-of-way to the north.

Yeas: Chamberlain  
Reece

Nays: Littman

Absent:

Kramer  
Starr  
Storrs  
Waller  
Wright

MOTION CARRIED

Mr. Littman stated that his nay vote was due to his opposition to a plan requiring two Condominium boards to work together. His experience showed that such cooperation was difficult to achieve.

Moved by Wright

Seconded by Storrs

RESOLVED, that the Planning Commission recommends to the City Council that the private street system proposed to serve the Residential Condominium Development on the north side of Long Lake Road, west of Livernois be approved in accordance with the site plan as presented and approved on this date, in accordance with Section 12.50.04 of the Zoning Ordinance, subject to the provision of sidewalk and utility easements as determined to be necessary by the City Staff, and subject further to the provision of a

public sidewalk extending through the development from Long Lake Road to the modified Virgilia Avenue right-of-way to the north.

Yeas: Chamberlain

Nays: Littman

Absent:

Reece

Kramer

Starr

Storrs

Waller

Wright

MOTION CARRIED

8. PROPOSED STREET VACATION – Virgilia North of Long Lake Road – Section  
9

Mr. Keisling explained that a request has been submitted for the vacation of a portion of the 50-foot wide platted but unopened Virgilia Street right-of-way in the area extending north from Long Lake Road, between Wright Street and Livernois, so that the subject street right-of-way can become a part of a proposed Residential Condominium Development. The right-of-way requested for vacation extends 333 feet north from the right-of-way which was acquired for the recent Long Lake Road improvement, which extends 100 feet north from the Section line. The subject right-of-way abuts Lot 1 of the Two Acre Farms Subdivision and Lots 16 – 18 of the Beaver Hills Subdivision. The petitioner in this matter, Joseph Maniaci, has also purchased a parcel lying north of his proposed condominium development site, on the east side of the Virgilia right-of-way, and has proposed to convey a portion of that parcel to the City in conjunction with his requested vacation in order to enable the construction of a cul-de-sac at what would become the south end of Virgilia, south of Fabius.

Mr. Keisling stated that, after reviewing the existing and potential future street patterns for this area, it is the opinion of City staff that an additional direct street access to the interior of this Section, in the location of the Virgilia Street right-of-way, it is not necessary. They therefore recommended that this request for vacation be granted, subject to the conveyance of the necessary cul-de-sac street right-of-way in the area immediately to the north, and subject to the retention of easements within the present right-of-way to the extent determined to be necessary by the City Engineer.

The Commission noted that provision should be made for the proposed sidewalk connection, between Long Lake Road and the remaining Virgilia Street right-of-way, as discussed in conjunction with the Site Plan for the proposed Residential Condominium Development in this area.

Moved by Wright

Seconded by Kramer

April 10, 2001 PC Regular Meeting Minutes

RESOLVED, that the request for the vacation of the 50-foot wide platted but unopened Virgilia Avenue right-of-way, extending north 333 feet from a point 100 feet north of the south Section line of Section 9 and abutting Lot 1 of Two Acre Farms Subdivision (Liber 28, page 16 of Oakland County Plats) and Lots 16, 17, and 18 of Beaver Hills Subdivision.

(Liber 26, page 18 of Oakland County Plats) be approved subject to the following conditions:

1. The conveyance of right-of-way adequate to provide for a conventional street cul-de-sac involving a portion of Lot 31 of Two Acre Farms Subdivision.
2. Retention of easements within the right-of-way to be vacated to the extent determined to be necessary by the City Engineer.
3. Retention or provision of an easement for a pedestrian walkway connection between Long Lake Road and the potential future south end of Virgilia Avenue.

Yeas: All Present (7)

Absent: Reece

MOTION CARRIED

4. (Taken out of order)  
ELECTION – PLANNING COMMISSION CHAIRMAN FOR BALANCE OF 2001

Moved by Waller

Seconded by Kramer

RESOLVED, that Commissioner's Chamberlain and Littman be elected as Chairman and Vice Chairman respectively, for the balance of 2001, and that the Board of Zoning Appeals Representative and Alternate Representative remain as presently established.

Yeas: All Present (7)

Absent: Reece

MOTION CARRIED

The meeting was adjourned at 10:05 PM

Respectively Submitted

Laurence G. Keisling  
Planning Director

7. SITE PLAN REVIEW – Proposed Residential Condominium Development – North side of Long Lake Road, west of Livernois – Section 9.

Mr. Keisling explained that a Site Plan has been submitted for the construction of 30-unit Residential Condominium Development on a 5.9-acre R-1T zoned site having 760 feet of frontage on the north side of Long Lake Road, west of Livernois. The subject site extends east from Wright Street to the Charleston Club Condominium Development which is currently under construction, and includes a portion of the 50-foot wide platted but unopened Virgilia Street right-of-way. A request for vacation of this right-of-way appears as the next item on this agenda. The site also includes a small City-owned parcel at the northeast corner of Long Lake Road and Wright Street which is a remnant from the right-of-way acquisition for the recent Long Lake Road improvement. After considering several street pattern alternatives, including use of Wright Street and opening of Virgilia Street, the developer, Joseph Maniaci, is proposing a totally private street system with its sole public street access from Long Lake Road. The private street is also proposed to connect to the private street within the abutting Charleston Club Condominium site, thus providing alternative Long Lake Road access points for both developments. The Plan, as originally submitted indicated a turn-around at the west end of the site which would be similar in dimension to the temporary turn-around design which is being used in recent subdivisions. The Planning Department and the Fire Department staff members are now proposing that this turn-around be revised to a flare or V-type design, which would provide the same turn-around capability while requiring less paved area. Once again, proposals for the development of private street systems require the review and approval of the City Council, after receiving a recommendation from the Planning Commission, in accordance with Section 12.50.04 of the Zoning Ordinance.

Mr. Keisling noted that the 150-foot wide planned right-of-way for Long Lake Road in this area requires the placement of a 5-foot berm across the Long Lake frontage, with a specified evergreen tree planting standard as set forth in Section 12.60.03 of the Zoning

Ordinance. The developer has proposed that this berm design be modified to include a screening/retaining wall at the interior edge of the berm, so that the full 50-foot width will not be necessary and the area immediately to the north, adjacent to the rear of the dwelling units, can be more effectively used by the residents. Two shallow-sloped unfenced storm water detention basins are proposed at the east end of the site. As in the case of the site to the east, a cross-access easement is recommended extending

north from Long Lake Road and then east to the east boundary of the site in order to provide for the recommended site inter-connection. All applicable Ordinance requirements are complied with and approval of this site plan was recommended, subject to completion of the necessary street vacation action.

Mr. Keisling explained that Frank Bronzetti and Mike Guerra, owners and developers of the Charleston Club Condominium site abutting to the east, have expressed objections to the requirement to inter-connect the street system of their complex with that of the proposed condominium development. They have asked for an opportunity to discuss their concerns with the Planning Commission, and potentially to have the requirement for a cross-access easement and connection within the Charleston Club complex eliminated. In order to cooperatively provide for this opportunity, Mr. Maniaci has submitted an alternate plan which indicates a turn-around at the east end of the proposed street system,

as well as at the west end adjacent to Wright Street. Although staff recognizes that the proposed inter-connection between these two developments may require some document

modification or adjustment of understanding on the part of the existing and potential owners within the Charleston Club complex, it was their strong recommendation that the inter-connection be a part of the plan approval action. If the Commission takes the position that inter-connection is not necessary, it would then be the recommendation of staff that a street connection to Wright Street be provided in order to assure adequate access to the proposed 30-unit development.

Joe Maniaci, the petitioner and developer, was present along with Ron Mayotte, his architect. Mr. Maniaci indicated that the density of his proposed development was approximately 17% less than the maximum permitted by R-1T Zoning. The dual storm water detention basins are proposed in order to be more aesthetically pleasing. He would have no objection to either of the alternative street patterns (with or without a connection to the development to the east). In response to a question from the Commission, he confirmed that it was his intention to provide a walkway connection to the Virgilia Street right-of-way to the north. The exact location of that connection would depend on the ultimate form of the potential south end of the Virgilia Street right-of-way.

Frank Bronzetti and Mike Guerra, owners of the Charleston Club Condominium Development to the east, were present. Mr. Bronzetti confirmed his objections to the proposed inter-connection of the street systems. He noted that his site plan indicated a wall along the west boundary of his site, and that the provision of a cross-access easement was a condition of Site Plan Approval with which he did not agree. He felt that neither development needed the proposed cross-connection. He further felt that the provision of such a street pattern would cause future arguments between the two condominium developments regarding maintenance, damage, etc. In response to Mr. Kramer's question regarding the

April 10, 2001 PC Regular Meeting Minutes

acceptability of a sidewalk connection between the two developments, Mr. Bronzetti stated that such was not necessary. Mr. Chamberlain expressed concern about the potential creation of small walled "fortresses".

The Commission discussed the treatment of the area immediately adjacent to Wright Street, and noted the proposed provision of an emergency access facility in that area through the use of "grass pavers." In response to a question from the Commission, Mr.

Mayotte indicated that he has had experience with the use of such elements in various developments, including the Bingham Woods project on 13 Mile Road near Telegraph

Road. Some of the Commission members also felt that the proposed pedestrian connection to the Virgilia Street right-of-way should involve a public sidewalk. Mr.

Chamberlain felt that a sidewalk connection between the two condominium developments may be adequate rather than a street connection.

Moved by Wright

Seconded by Storrs

RESOLVED, that the Preliminary Site Plan Approval, as requested for the construction of a 30-unit residential condominium development on a 5.9-acre R-1T zoned site having 760 feet of frontage on the north side of Long Lake, west of Livernois is hereby granted, subject to completion of the necessary street vacation actions, and subject further to the following conditions:

1. Inter-connection of the proposed street system with the street system of the condominium development immediately to the east, along with an accompanying cross-access easement.
2. The provision of a turn-around at the westerly end of the development, adjacent to Wright Street, in a configuration acceptable to the Fire Department.
3. The provision of a public sidewalk extending from Long Lake Road through the proposed development, to the modified Virgilia Avenue right-of-way to the north.

Yeas: Chamberlain  
Reece  
Kramer  
Starr  
Storrs  
Waller  
Wright

Nays: Littman

Absent:

MOTION CARRIED

Mr. Littman stated that his nay vote was due to his opposition to a plan requiring two Condominium boards to work together. His experience showed that such cooperation was difficult to achieve.

Moved by Wright

Seconded by Storrs

RESOLVED, that the Planning Commission recommends to the City Council that the private street system proposed to serve the Residential Condominium Development on the north side of Long Lake Road, west of Livernois be approved in accordance with the site plan as presented and approved on this date, in accordance with Section 12.50.04 of the Zoning Ordinance, subject to the provision of sidewalk and utility easements as determined to be necessary by the City Staff, and subject further to the provision of a public sidewalk extending through the development from Long Lake Road to the modified Virgilia Avenue right-of-way to the north.

Yeas: Chamberlain

Nays: Littman

Absent:

Reece

Kramer

Starr

Storrs

Waller

Wright

MOTION CARRIED

The most crucial issues stemmed from drainage and existing wetlands. Mr. Keisling attempted to show the drain system and the flow of water on a map of the area. He referenced a letter from the Department of Environmental Quality clearly reversing their original position claiming that the Houghton Drain segment running through the property is a "stream" in accordance with the Wetland Protection Act. Ruled as such, development of a 10-parcel site condominium complex would require a permit from the MDEQ.

Mr. \_\_\_\_\_ asked how the Engineering phase of the project was going. Maps were produced by Mr. Keisling that showed the grades and results of developing the subject area. It was also noted that no alternative plans were offered.

It was stressed that the required permit was still in question. Mr. Norman Hyman of Bingham Farms believed that enough information had been provided. He assumed the Council had the time to look at the issues. Mr. Chamberlain stated that the members of the Council had the information "dumped" on them at 7:00 PM and more time would benefit all concerned.



April 10, 2001 PC Regular Meeting Minutes

For his part, Mr. Al Bayer stated they had every intention of proceeding in full compliance of the City's Regulated Wetland Ordinance. It was evident that they wanted approval in a timely manner if he can get a permit. Mr. Hyman said anything could happen while they waited for their permit and since everything mostly hinges on that, he would willingly wait as long as it take for the Council to review all information. He further commented that they did not consider the City Council to be delaying them in any way.

On further inspection, Mr. Chamberlain commented that the drain looked as if it went through what should be Unit 2. Mr. Al Bayer stated that a 21-inch pipe would be installed in between the Lots to handle the drainage which would flow in a southerly direction. The pipe would be enclosed and they would cover it as required.

Mr. Littman then said, "Wetlands exist on the site. Is it your intention to litigate if a permit from the MDEQ is not forthcoming?"

Norman Hyman said, "Yes, they would." By their calculations only about .12 acres plus a small pocket thought to be approximately .07 acres of wetlands existed.

Mr. Keisling asked if the Southwest area would be affected. Mr. Wright was concerned with the fill elevation. He found it hard to believe that a 21-inch drain was going to handle a heavy rain. Mr. Chamberlain said he believed the intended drain development would cause a dam to be created and that it will fill with mud. He knows, he said, because his own land drain became plugged up because of something Ameritech was responsible for. The Engineering Department will have to incorporate some changes.

The petitioners believed, however, they not only could the drain handle heavy water volume, but they feel that they are complying with the City's policies in this matter and their drain pipe would improve the drain. Mr. Storrs said it looked like a 90° angle to him and that was very disruptive and why were they creating a grade where none exists now. According to Mr. Wright, there was 6/10 of a foot of fall from the North end to the South end. The petitioners insisted the drain would flush itself, citing an engineering elevation of zero. And the water would flow at 2.5 feet per second. Mr. Storrs, finding an example, said that just to the West of Unit #6, there was a grade a full 2 feet high. And would this not cause water to run into the yard. Mr. Hyman said no. The water would go to South and in between the Lots. Mr. Storrs asked "Is this going up or down?" They replied that "It falls off."

Mr. Chamberlain said they were locked in a "No Win" situation. In any event, they had not had sufficient time to review the information thoroughly and that wasn't fair to either party.

Mr. Ken Rose of 505 Trillium Drive stepped to the podium up to speak. He stated that he was aware of the flood of information that has fallen into our laps and he implored the Council, "Please do not rush the decision." He said 60 days ago, it was okay to build, but now the MDEQ is saying the are includes wetlands and the drain is classified as a "stream." He does not want anyone to rely on



information that may not be true. He said the MDEQ is obviously against development. He also said that at first, there seemed not be only slight changes being made but now significant changes are being made. He believes the proposed development needs a new plan. He thinks the MDEQ will turn down the bid for development.

Charlene Calabro of 488 Trillium Drive asked to speak. She wanted protection from the Council so she didn't get caught underwater. Drainage was a big concern with most people. Also she stated that she did not know what the exactly what the parameters were or what constituted a wetland, but it should be enriched and not encroached upon in any way. She cited wildlife as a concern and that we need what lives there and we should be preserving it. We are supposed to be living with the wildlife, not living at the expense of that wildlife. And, as Ken Rose said, more time seems to be warranted. Secondly, she wants the drain open.

Sharon Bodek stood up to speak. She lives at 506 Trillium. Sharon said she wanted assurance that she already has a water problem.. There already is a 4 foot drop off. If the side property is 2 feet higher, the amount of water will increase. Developers have shown no interest in the home owners or their complaints up to this point. She bought her house from the builder and she and her neighbors paid a premium for the Lots they live on and don't want to see any wetlands filled in. She is staunchly against development of any kind and was quite firm in stating her opposition.

When she was finished speaking, Mr. Kramer commented that these areas exist and does that mean Unit #2 will disappear? He said wetlands change the development.

Mr. Keisling said they are going to close the drain but the MDEQ could make them lose some units. He asked if there was a Plan B, but was told there was no Plan B and they simply are going to wait and see what the MDEQ has to say. If the MDEQ refuses to give them a permit, then they will think about a Plan B. They want approval on the existing Plan.

Mr. Storrs asked where the outlet is for Sylvan Glen Lake. He said it was bound to overflow if we got a 100-year storm. Mr. Keisling said, "If it overflows, then it does"

The developer will not be permitted to increase the burden on anyone. There is a difference between rain running down the road and being channeled.

Mr. Chamberlain said the surface-water is quite substantial and any build up will just be too much.

Mr. Littman said it was clear that had to wait for the MDEQ to approve so should we move to table this again. We take it we are not delaying the developers in some way. He did mention that he, for one, would like to know how they expect to improve the situation for Mrs. Bodek. He was only told that they would not make things worse for her and it was an Engineering issue.

April 10, 2001 PC Regular Meeting Minutes

Mr. Storrs said he would like to see an example of the swale. He doesn't think things are going to improve for Mrs. Bodek. As long as we are not causing a delay, we should probably table the proposed development. He wanted to hear from Engineering and, of course, from the MDEQ. He stated that the Council needed adequate time.

The petitioners did offer to "transcribe" the tape themselves to help speed things up.

Mr. Chamberlain commented that if they tabled the issue, he did not want more than a 15 or 20 minute discussion about it at that time.

Proposed Resolution

Moved by Storrs

Seconded by Littman

RESOLVED, that the proposed Residential Condominium Development be tabled until the next Study Meeting on May 1, 2001.

Yeas: All Present

Nays:

Absent: Reece

MOTION CARRIED

SITE PLAN REVIEW – Proposed Residential Condominium Development – South side of Wattles, between Finch and I-75 – Section 21.

Mr. Keisling presented a map of the proposed development. He stated it was an R-1T Zone, "L" shaped parcel on 6.2 acres. A 33 attached condominiums. He stated it has an odd shape, 720 feet of frontage on Wattles Road. It has a private street pattern and there is nothing in the Ordinance that condemns those. There has been some consternation about traffic with regard to the street pattern. There are requirements for a landscaped berm to be modified so it also serves as a retaining wall. The 5,000 feet of wetlands is not of consequence in this instance. was included. The proposed Plan includes a storm easement, cross-section access, and sidewalks. They had hoped to have a model at this time but the drawing would have to suffice for now.

Mr. Chamberlain said it was important to have a wet basin and that the corner area of wetlands could serve as part of a basin but that they had "not got that far into it." Mr. Littman wanted to know if there was a fencing requirement. Mr. Keisling there would be no fencing. Mr. Wright said they were building direct vent fireplaces that don't go to the ground.

Mr. Waller asked if 250 feet to the South puts the Creek where the detention parcel is.

Mr. Keisling that was part of what would make it a wetland regulation. The MDEQ doesn't favor an inland detention.

April 10, 2001 PC Regular Meeting Minutes

Mr. Kramer said he doubts there will be many changes in the future. They have the capability to have some fire protection in there. Mr. Wright said not to let the opportunity get away. Let's put it in there.

Mr. Chamberlain said they had to get the road away from the people in the Subdivisions; they don't want lights shining in their windows. The petitioners said they have met with the some residents.

Mr. Kramer commented that the Density of 33 units and 6.2 acres is permitted. It is actually three less than what is permitted. He continued that the elevation would have to be matched to the surrounding area. No raising of the land.

Ralph Koerber, a resident, said he is concerned with drainage. Water has been draining through their privacy wall for years and this issue needs to be addressed. How do you propel the water where it is supposed to go? In addressing this issue, the Engineer, (Mr. Joseph Cheayeb?) said the water can be moved out by gravity. Through the easement. The detention pond is lower gravity, 4 – 8 feet underground.

Mr. Chamberlain says there are still some problems and they need to have control over the whole thing.

Mr. Keisling stated that the City doesn't accept responsibility for the drains until it gets to the County drains. Some Engineering will come later.

Mr. Chamberlain said that a condition would be added. That cross-sections on maps to the South and East of the property and to show easements.

Approval was given here but I missed the wording.

Moved by Chamberlain

Seconded by Waller

MOTION CARRIED

SITE PLAN REVIEW – Proposed Residential Condominium Development – South

side of Long Lake Road, West of Livernois – Section 9

Mr. Chamberlain announced this was a 5.9-acre, 50-foot wide platted 30 unit condominium development with a private street system.

Mr. Keisling stated that there was some flexibility of access points. The facility is off Wright Street and may have access from Long Lake Road. Then berm required is five feet but the width of the berm will be reduced to have some retaining wall function. The environmental issues had yet to be determined and the tree requirement is unknown. The condominiums are similar to those to the east. There is a V-shaped ending to the street for Fire Department purposes. Storm water is controlled by 2 shallow slopes on the eastern edge. Two maps were presented showing easements and connections. Some modification of the Plan would include closing the east end which makes no connection.

Mr. Storrs asked if there was an opening on the north side somewhere. He suggested walkway and cul-de-sac easements. Mr. Keisling said that Mr. Maniaci agreed to additional rights-of-way. Mr. Kramer suggested alternate plans for turn-arounds.

Mr. Chamberlain said, "As long as they have a walkway." The residents do not want public sidewalks on private streets.

Mr. Joe Maniaci said "Water seems to be a primary concern. Our detention ponds will handle all the water on the site."

Mr. Chamberlain said, "Change that to a cul-de-sac if we need an easement. If it's not open to Wright, it would be appropriate to do that. Then Mr. Wright said, "Why are we even debating this issue?"

Mr. Bonsetti, developer for the approved Charleston Club with three walls. The street dead-ended on that wall. There was no need for a cross access easement for the Fire Department. Two private roads taken care of both on the east and the west. There is no need for an easement and let us put up the wall.

Mr. Chamberlain suggested a pedestrian access between two developments so anybody can walk down the street and interact with each other.

Mr. Wright stated that it's okay to have an easement, we have them all over. I don't see a problem.

Mr. Littman said he would rather not have an easement.

Mr. Bronsetti stated that they have done this before and said he'd seen these places advertised where pavers leave little squares where grass can grow through. Wanted to know why we needed turn-around on a street that was 150 feet.

Mr. Chamberlain replied that a turn-around was justified by general traffic. Regarding the private road system, he would rather have a walkway. Mr. Storrs said, "They're building a fortress – connect the roads. Mr. Bronsetti said, "We've already sold our units. Now I can't have a wall after I said there would be one to these people." Mr. Chamberlain commented that we wanted a cross access easement.

Proposed Resolution

Moved by Wright

Seconded by Storrs

RESOLVED, that

WORDING?

MOTION CONDITIONS::

April 10, 2001 PC Regular Meeting Minutes

Tie the two projects together and connect to Wright Street.  
Let there be a pedestrian access to Virgilia

Yeas:	Nays: Littman	Absent:
Reece		
Chamberlain		
Kramer		
Starr		
Storrs		
Waller		
Wright		

MOTION CARRIED

9      PROPOSED STREET VACATION – Virgilia North of Long Lake Road – Section

Mr. Keisling said the Planning Commission recommended this proposal for approval.

Moved by Chamberlain	Seconded by Wright
----------------------	--------------------

Proposed Motion

RESOLVED, that

On the conditions of an easement for the public and a right-of-way.

Yeas: All Present	Nays:	Absent: Reece
-------------------	-------	---------------

MOTION CARRIED

ELECTION

RESOLVED, that Mr. Chamberlain be Chairman and Mr. Littman be Vice Chairman for the remainder of

---

Yeas: All Present	Nays:	Absent: Reece
-------------------	-------	---------------

MOTION CARRIED

Mr. Chamberlain commented that the maps were very helpful and especially the one showing the water coursing down

April 10, 2001 PC Regular Meeting Minutes

The meeting was adjourned at 10:01 PM.

DATE: April 17, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Gary A. Shripka, Assistant City Manager/Services  
Mark Stimac, Director of Building and Zoning

SUBJECT: Appeal of Dangerous Building Determination  
612 Trombley, Parcel # 22-401-006

Mr. Andrew Jantz of Jantz Construction Company, the owners of the property at 612 Trombley, has submitted a letter requesting an administrative hearing before City Council. The purpose of that hearing is to appeal the determination made by the Building Department that the single-family residence located at the above noted address is a dangerous building and should be demolished.

The procedure for this form of appeal is in accordance with the provisions of Article 4 of Chapter 82-B of the Troy City Code. I have enclosed copies of the information from our files regarding this building resulting in our determination of the structure as a dangerous building.

In order to comply with the Mr. Jantz's request a public hearing should be established for your May 7, 2001 meeting.

We will be happy to answer any questions that you may have regarding this matter either at or before the public hearing.

April 5, 2001

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager  
John Lamerato, Assistant City Manager Finance/Administration  
Nino Licari, City Assessor

Re: Oakland County "Digi-Pix" program

Oakland County Equalization, in conjunction with their Geographical Information Systems Group is in the process of digitally photographing every parcel in the County. The City of Troy is on the list for summer of 2001 (27,463 parcels, as of 03/31/01).

This information will be linked to the GIS system, and available to us through our internet connection to the County. They will also link these photos through the CLEMIS, and CAD systems so that 911 (both Police and Fire) personnel can access them.

There are no upfront costs to the City of Troy. The Assessing Department will maintain, and update the system locally, after the initial load (we currently have that capability). The County will recoup their investment by making the photos available to registered subscribers to their system (licensed Realtors) who will be charged a fee. Since the data will reside on the County System, any FOIA requests will have to be made through them.

The benefits to the community are many, and detailed on the attached memorandum from the County.

They intend to blanket the City with 15-20 staff, and complete the physical photographing within 3 weeks. They will be in Troy between May and August, depending on scheduling. There will be an approximate 4 month 'clean-up' process after this.

Their staffers are all highly visible, wearing bright reflective vests, and have large placards in the car windows. They will not trespass on any residents property.



In addition, taxpayers may opt to limit the availability of the photos (for example: only Police, Fire, and 911 usage). They will also have the option of not having any photograph of their property, by notifying either Oakland County Equalization, or the Assessing Department in Troy.

Any change in ownership in a property will be another opportunity to change the status of an existing image.

We will place notifications in the Troy Today, as well as on our local cable channel that will detail the program, and the options available to property owners.

April 12, 2001

To: Honorable Mayor and City Council

From: John Szerlag, City Manager  
Gary Shripka, Assistant City Manager – Services  
Brian Stoutenburg, Library Director

Subject: International Resources and the Library

The Troy Public Library provides foreign language materials and resources in several formats, and has as one of its goals to expand our International collections. Materials are available in 32 languages for adults and 24 languages for youth. We recently have subscribed to nearly 2 dozen foreign language magazines and newspapers.

We house the largest rotating collection in the state of foreign language books from the Detroit Public Library's International Language Collection. This collection is rotated twice a year and we house around 1,100 books that are informational and recreational. The Library has an extensive collection of foreign films with English subtitles, as well as audiocassettes in a variety of languages.

For individuals seeking assistance with English as a Second Language, we provide many helpful resources including TOEFL (Test of English as a Foreign Language) study materials, business English guides, and daily English usage skills in print, audio, and video formats.

The Internet terminals at the Library allow patrons to search out sites and databases that are written in foreign languages, thereby increasing access to International resources.

We are currently in the process of expanding our list of vendors that supply International materials as well as developing methods for International resource selection.

April 12, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
John M. Lamerato, Assistant City Manager/Finance and Administration  
Jeanette Bennett, Purchasing Director

RE: Report and Communication -  
Office Depot NACo Contract Pricing

**CLARIFICATION**

On Monday, March 19, 2001, Troy City Council approved a three-year contract to provide office supplies from Office Depot through a “piggyback” addendum with Los Angeles County and the National Cooperative Purchasing Program. (Resolution #2001-03-160-E-4) As part of that recommendation, a five-page pricing document was included for core office supplies. This document identified as Attachment A and titled NACo Supplies Contract Pricing effective March 5, 2001 was submitted with errors. The correct core price list is attached and marked, Revised— Attachment A.

Holley Luft, our Account Manager at Office Depot, unknowingly provided the original pricing document with bad data, which had originated from LA County. Office Depot discovered the error in the file data and had a new core price list generated. However, Holley did not realize she had sent the bad file, and it wasn’t until after City Council approved the original price list that the Purchasing Department discovered the error.

Office Depot apologizes for the inconvenience and incorrect information that resulted from human error.

April 17, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Doug Smith, Real Estate and Development Director

SUBJECT: Updates on Stanley Door Building, IKEA and Big Beaver Technology Park

Signature Associates is marketing the Stanley Door building and their broker called and informed the City that the investment company that had the building under contract has let it lapse, and so the Stanley Door building is once again on the market. Staff will continue to work with them with clients interested in the facility.

As a note for new Councilpersons, the City was approached by IKEA early in 2000. They were inquiring about trying to purchase the southeast corner of Rochester Road and Big Beaver for an IKEA store, which is a large furniture store. Council, on its trip to Schaumburg, saw one of the larger IKEA stores and had several reservations. IKEA was informed at that time, that for Council to even consider a request for rezoning, the IKEA building should not be predominately blue and yellow and "big box", but would be a building that would complement Troy Marketplace, which sits immediately across Rochester Road. This would require that the building be predominately brick and glass, although a small portion of the building (the percentage was not defined) might display the signature blue and yellow, particularly facing the expressway, or a small amount around the entrance to the building. It was presumed that the building would have a front face on Rochester Road and/or Big Beaver, but both would be attractive sides of the building. Finally, there was some issue about size. Council would prefer something closer to 200,000 square feet, but left the issue open.

A representative from IKEA and their architect met with Doug Smith the last week of March and presented elevations which looked very much like the typical blue and yellow building that Council had seen in Schaumburg. It was 320,000 square feet and faced I75, and the back of the building had truck docks facing Big Beaver Road. Doug Smith indicated to them that the appearance (color) was unacceptable and that the truck docks facing Big Beaver were a non-starter to any further discussions.

Doug Smith indicated that as previously agreed to with IKEA representatives, the entire building needed to complement the "Marketplace" development across Rochester and that meant primarily brick and glass. Furthermore, he indicated that the building had to face either Rochester or Big Beaver and preferably have a front-like appearance on both streets. The good news - they had proposed parking under the building and in a deck adjacent to the building, which was desirable because it provided some additional green space that enhanced the roadway and entrances. It was reiterated to

them that the size may also be an issue, but until other items are effectively dealt with it probably wasn't worth discussing. Please know that the parcel being considered for

development by IKEA would have to be rezoned, and IKEA is aware that City Council is under no obligation to accommodate any rezoning request.

Finally, Kevin Shea (Liberty Property Trust) called and indicated that the proposed Post Office lease of new buildings in Big Beaver Technology Park has been canceled. Apparently, several projects nationwide have been terminated or delayed. Kevin does not see this issue being reinstated. Liberty is seeking other tenants for the site.

DS/ch

To: Honorable Mayor and City Council  
From: John Szerlag, City Manager  
John Lamerato, Assistant City Manager/Finance and Administration  
Gary Shripka, Assistant City Manager/Services  
Carol Anderson, Parks and Recreation Director  
Date: April 16, 2001  
Re: Fees for Senior Programs

---

**Background:**

Some senior citizen recreation programs have been free since they were first offered two to three decades ago. We would like to begin charging for some of these programs as we move toward having most direct program costs covered by fees.

Instead of offering no cost programs, we would like to revise the Confidential Assistance Program for youth to include seniors as well. Senior programs would then be available to those meeting low-income guidelines at no or reduced cost.

We currently subsidize the following programs (approximate annual subsidy is in parenthesis):

Chair Exercise	(\$800)
Gardens	(\$1100)
Monthly Birthday Party	(\$600)
Movies	(\$90)
Senior Week Dance	(\$400)
Softball	(\$700)
Stretch and Tone	(\$600)
Volleyball	(\$800)

Most programs that have expenses are self-supporting. These include: aquatic exercise, ballroom dance lessons, bingo, bowling, computer classes, dances, defensive driving classes, golf leagues, line dance lessons, massage, muscle conditioning, painting, tai chi, piano keyboard lessons, tap dance lessons, travel, and yoga.

A number of free programs are offered that have no direct expenses. These include: bridge, chorus, cribbage, euchre, harmonica club and lessons, health screenings, needlework club, oil painting club, pinochle, quilting club, speakers, tennis league, and woodcarving club.

The senior newsletter would continue to be printed and distributed monthly at a cost of approximately \$17,000 per year.

as well as the large national conventions. The study itself does an excellent job in Section 4, Pages 5, 6 and 7 of identifying the meeting types and the separate needs throughout the Detroit metropolitan community. Attached to this memo is the chart that clearly identifies eight different meeting types. In looking at the chart, Troy is interested in targeting its effort at trying to meet the needs of corporate and other meetings, the conferences and conventions that identify attendance ranges from anywhere from less than 100 to nearly 5,000. It has been assumed that our target would be all of the first two groups, and at least the front half, or up to approximately 2,000 people, in the convention type that is listed third. The key part of the chart to note is that in all three of these cases, Detroit's current capacity to host is listed as poor.

Clearly, this study needs to be carefully reviewed and the Detroit Metro Convention and Visitors Bureau has indicated a willingness to bring the consultants back into town and have them meet with City Council to discuss further the implications of this study. If this is desirable, the meeting can be established at any time convenient to Troy City Council.

The study is very timely and should be of great help in determining the best possible size of a conference/convention center for the City of Troy as it explores its Civic Center site development. The study clearly documents the need for this type of facility and, further, recognizes the positive regional impact of this facility.

Attached are two recent articles from Crain's and the Troy Eccentric regarding the convention/conference center.

DS/ch

Attachments

April 16, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Doug Smith, Real Estate and Development Director

SUBJECT: Conference Center Study

Attached is the recent Metropolitan Detroit Regional Convention Facility Strategy Study prepared for the Detroit Metro Convention and Visitors Bureau by C. H. Johnson Consulting, Inc. The focus of the study was to look at the conference and convention needs in the Detroit metropolitan area. Troy management staff was interviewed as part of the study.

The study accomplished at least three primary objectives regarding the proposed Troy Conference Center. First, it identified and documented the need for expanded conference and convention center space in suburban Detroit. The study goes further than anticipated and actually identifies Automation Alley as the preferred location for expanded facilities and even identifies Troy and its proposal as a nearly-ideal location. The study concludes that "If a site in downtown Troy or elsewhere in Automation Alley were chosen, results similar to those outlined subsequently would materialize." (Section 2, Page 8.)

Secondly, the consulting firm clearly concludes that expanded suburban conference and convention center facilities would not conflict with the needed expansion at Cobo Hall. Cobo Hall's expansion is justified on the need to compete with large-scale events in Atlanta, Chicago and the New York markets. In fact, the study concludes that not only is there room in the suburban market for expanded facilities, but those facilities are critical in helping make the region a target for increased consideration by the national convention market.

Finally, the study identifies the required size of the suburban facilities. While the study concludes that the first phase should have 80,000 square feet of exhibit space, a 25,000 square foot ballroom and 15,000 square feet of meeting space, it also recognizes that perhaps more than one facility can be built to meet all of the needs in the suburban marketplace. While the study clearly calls for one initial convention center that in two or three phases could be as large as 250,000 square feet, the study does not preclude more than one convention center to meet the identified needs.

Clearly, what has been anticipated in Troy is to try to capture the market of annual meetings for Michigan groups like the Michigan Bar Association or Michigan Chiropractors Association and some of the regional meetings of the national groups. The intent in Troy has not been to create a convention center for consumer shows,



as well as the large national conventions. The study itself does an excellent job in Section 4, Pages 5, 6 and 7 of identifying the meeting types and the separate needs throughout the Detroit metropolitan community. Attached to this memo is the chart that clearly identifies eight different meeting types. In looking at the chart, Troy is interested in targeting its effort at trying to meet the needs of corporate and other meetings, the conferences and conventions that identify attendance ranges from anywhere from less than 100 to nearly 5,000. It has been assumed that our target would be all of the first two groups, and at least the front half, or up to approximately 2,000 people, in the convention type that is listed third. The key part of the chart to note is that in all three of these cases, Detroit's current capacity to host is listed as poor.

Clearly, this study needs to be carefully reviewed and the Detroit Metro Convention and Visitors Bureau has indicated a willingness to bring the consultants back into town and have them meet with City Council to discuss further the implications of this study. If this is desirable, the meeting can be established at any time convenient to Troy City Council.

The study is very timely and should be of great help in determining the best possible size of a conference/convention center for the City of Troy as it explores its Civic Center site development. The study clearly documents the need for this type of facility and, further, recognizes the positive regional impact of this facility.

Attached are two recent articles from Crain's and the Troy Eccentric regarding the convention/conference center.

DS/ch

Attachments

April 11, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Doug Smith, Real Estate & Development Director

SUBJECT: Status Report on the Michigan Youth Museum

City management, directed by Resolution #2000-399 dated August 21, 2000 (Attachment 1), has worked with Troy's legal counsel, Robert Nix, and Sherrill Zimmer, President of the Michigan Youth Museum and her attorney, Monica Labes to develop a ground lease. Until early this year, extensive discussions and drafts had gone back and forth between both parties in a clear effort to accomplish what was laid out in the agreement of August 7, 2000 (Attachment 2). Very recent efforts at completing the ground lease have been delayed because of a question of whether Ms. Labes would continue to represent the Children's Museum in these negotiations.

With the election on April 2, 2001 and the election of three new members to Council, it is an appropriate time to review the status of these discussions and seek Council's direction on how to proceed. In general, Council may consider at least three options:

1. After a thorough review of the chronology on the Michigan Youth Museum, staff could be directed to continue the discussions to complete the ground lease and proceed as directed.
2. Council may wish to invite the Michigan Youth Museum to a study session and receive a complete update on the status of their fundraising, the selection of a board of directors and expected timeframes for the construction and operation of the Museum.
3. If after reviewing the chronology and a status report on the Michigan Youth Museum, there is a desire to terminate negotiations, staff would recommend an Executive Session with outside counsel, Robert Nix, to identify any obligations or liability the City might have regarding this action. Attachment 3 is a confidential memorandum from Robert Nix regarding this issue.

Attached is a chronology (Attachment 4) of the discussions between staff, Council and the Michigan Youth Museum over the past two years, including a collection of documents that should be helpful in Council reaffirming or making new decisions regarding the direction of the Youth Museum. If there are any other questions or additional information that Council might want, staff would be pleased to provide it.

DS/pg

Attachment 1 – Council Resolution  
Attachment 2 – Agreement Letter  
Attachment 3 – Robert Nix's letter (confidential)  
Attachment 4 – Chronology and documentation

April 19, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager  
Gary A. Shripka, Assistant City Manager/Services  
Carol K. Anderson, Parks and Recreation Director

RE: Report and Communication -  
Status Report of the Nature Center Project

### **CONSTRUCTION OF NEW NATURE CENTER BUILDING**

On February 15, 2001, site preparation for the new nature center building began and on March 30, 2001 installation of the foundation and reinforcing steel began. As of this date, foundations are complete, power lines are re-routed and interior and exterior materials and color selections are nearing completion.

Exterior block will be delivered by April 25<sup>th</sup>. During May, masonry work will proceed as well as under-slab plumbing and electrical work.

Completion of the new nature center building is tentatively scheduled for November 1, 2001.

### **FURNITURE ORDERS PROCEEDING**

In the 2000-01 fiscal year nature center operating capital budget, money is budgeted for some interior furnishings for the building. These purchases will be made from the County Office Furniture Contract totaling \$18,222.90. This purchase will be comprised of the following:

50 stacking chairs @ \$140.90	\$7,045.00
12 folding tables @ \$378.10 ea	\$4,537.20
5-5 high storage units @ \$411.16	\$2,055.80
5-3 high storage units @ \$324.52	\$1,622.60
3-5 high bookcases @ \$511.10	\$1,533.30
Delivery and installation	<u>\$1,429.00</u>
<b>TOTAL</b>	<b>\$18,222.90</b>

Additionally, a purchase of furniture for the nature center library room will be made from this year's operating capital for 4 lounge chairs, 2 love seats and 5 tables. These items, at a total cost estimate of under \$10,000, are not on the county contract. Three quotes are being sought for these purchases.

**BUDGET:**

Funds for these purchases are currently available in Outdoor Education Center Account 771.7978.010

Prepared by Charles R. Barnes, Nature Center Manager